

1 AN ACT in relation to State boards and commissions.

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

4 Section 5-315. The Illinois Public Labor Relations Act
5 is amended by changing Section 5 as follows:

6 (5 ILCS 315/5) (from Ch. 48, par. 1605)

7 Sec. 5. Illinois Labor Relations Board; State Panel;
8 Local Panel.

9 (a) There is created the Illinois Labor Relations Board.
10 The Board shall be comprised of 2 panels, to be known as the
11 State Panel and the Local Panel.

12 (a-5) The State Panel shall have jurisdiction over
13 collective bargaining matters between employee organizations
14 and the State of Illinois, excluding the General Assembly of
15 the State of Illinois, between employee organizations and
16 units of local government and school districts with a
17 population not in excess of 2 million persons, and between
18 employee organizations and the Regional Transportation
19 Authority. The State Panel shall also have jurisdiction over
20 matters arising under the Illinois Educational Labor
21 Relations Act.

22 Until July 1, 2003 or when all of the new members to be
23 initially appointed under this amendatory Act of the 93rd
24 General Assembly have been appointed by the Governor,
25 whichever occurs later, the State Panel shall consist of 5
26 members appointed by the Governor, with the advice and
27 consent of the Senate.

28 The term of each appointed member of the State Panel who
29 is in office on June 30, 2003 shall terminate at the close of
30 business on that date or when all of the new members to be
31 initially appointed under this amendatory Act of the 93rd

1 General Assembly have been appointed by the Governor,
2 whichever occurs later.

3 Beginning on July 1, 2003 or when all of the new members
4 of the State Panel to be initially appointed under this
5 amendatory Act of the 93rd General Assembly have been
6 appointed by the Governor, whichever occurs later, the State
7 Panel shall consist of 3 members appointed by the Governor
8 with the advice and consent of the Senate.

9 The Governor shall appoint to the State Panel only
10 persons who have had a minimum of 5 years of experience
11 directly related to labor and employment relations in
12 representing public employers, private employers or labor
13 organizations; or teaching labor or employment relations; or
14 administering executive orders or regulations applicable to
15 labor or employment relations. At the time of his or her
16 appointment, each member of the State Panel shall be an
17 Illinois resident. The Governor shall designate one member
18 to serve as the Chairman of the State Panel and the Board.

19 The initial appointments under this amendatory Act of the
20 93rd ~~91st~~ General Assembly shall be for terms as follows:
21 The Chairman shall initially be appointed for a term ending
22 on the 4th Monday in January, 2007 ~~2001~~; ~~2 members shall be~~
23 ~~initially appointed for terms ending on the 4th Monday in~~
24 ~~January, 2002~~; one member shall be initially appointed for a
25 term ending on the 4th Monday in January, 2006 ~~2003~~; and one
26 member shall be initially appointed for a term ending on the
27 4th Monday in January, 2005 ~~2004~~. Each subsequent member
28 shall be appointed for a term of 4 years, commencing on the
29 4th Monday in January. Upon expiration of the term of office
30 of any appointive member, that member shall continue to serve
31 until a successor shall be appointed and qualified. In case
32 of a vacancy, a successor shall be appointed to serve for the
33 unexpired portion of the term. If the Senate is not in
34 session at the time the initial appointments are made, the

1 Governor shall make temporary appointments in the same manner
2 successors are appointed to fill vacancies. A temporary
3 appointment shall remain in effect no longer than 20 calendar
4 days after the commencement of the next Senate session.

5 (b) The Local Panel shall have jurisdiction over
6 collective bargaining agreement matters between employee
7 organizations and units of local government with a population
8 in excess of 2 million persons, but excluding the Regional
9 Transportation Authority.

10 Until July 1, 2003 or when all of the new members of the
11 Local Panel to be initially appointed under this amendatory
12 Act of the 93rd General Assembly have been appointed by the
13 Governor, whichever occurs later, the Local Panel shall
14 consist of one person appointed by the Governor with the
15 advice and consent of the Senate (or, if no such person is
16 appointed, the Chairman of the State Panel) and two
17 additional members, one appointed by the Mayor of the City of
18 Chicago and one appointed by the President of the Cook County
19 Board of Commissioners.

20 The term of each member of the Local Panel who is in
21 office on June 30, 2003 shall terminate at the close of
22 business on that date or when all of the new members to be
23 initially appointed to the Local Panel under this amendatory
24 Act of the 93rd General Assembly have been appointed,
25 whichever occurs later.

26 Beginning on July 1, 2003 or when all of the new members
27 of the Local Panel to be initially appointed under this
28 amendatory Act of the 93rd General Assembly have been
29 appointed, whichever occurs later, the Local Panel shall
30 consist of 3 members: the Chairman of the State Panel, who
31 shall also serve as Chairman of the Local Panel, and two
32 additional members, one appointed by the Mayor of the City of
33 Chicago and one appointed by the President of the Cook County
34 Board of Commissioners.

1 Appointees to the Local Panel must have had a minimum of
 2 5 years of experience directly related to labor and
 3 employment relations in representing public employers,
 4 private employers or labor organizations; or teaching labor
 5 or employment relations; or administering executive orders or
 6 regulations applicable to labor or employment relations.
 7 Each member of the Local Panel shall be an Illinois resident
 8 at the time of his or her appointment. ~~The member appointed~~
 9 ~~by the Governor (or, if no such person is appointed, the~~
 10 ~~Chairman of the State Panel) shall serve as the Chairman of~~
 11 ~~the Local Panel.~~

12 The initial appointments under this amendatory Act of the
 13 93rd ~~91st~~ General Assembly shall be for terms as follows:
 14 The member appointed by the Governor ~~shall initially be~~
 15 ~~appointed for a term ending on the 4th Monday in January,~~
 16 ~~2001; the member appointed by the~~ President of the Cook
 17 County Board shall be initially appointed for a term ending
 18 on the 4th Monday in January, 2006, ~~2003~~; and the member
 19 appointed by the Mayor of the City of Chicago shall be
 20 initially appointed for a term ending on the 4th Monday in
 21 January, 2007 ~~2004~~. Each subsequent member shall be
 22 appointed for a term of 4 years, commencing on the 4th Monday
 23 in January. Upon expiration of the term of office of any
 24 appointive member, the member shall continue to serve until a
 25 successor shall be appointed and qualified. In the case of a
 26 vacancy, a successor shall be appointed by the applicable
 27 appointive authority to serve for the unexpired portion of
 28 the term.

29 (c) Two ~~Three~~ members of the State Panel shall at all
 30 times constitute a quorum. Two members of the Local Panel
 31 shall at all times constitute a quorum. A vacancy on a panel
 32 does not impair the right of the remaining members to
 33 exercise all of the powers of that panel. Each panel shall
 34 adopt an official seal which shall be judicially noticed.

1 Members shall serve without compensation, but shall be
2 reimbursed for the necessary expenses incurred in the course
3 of that service. A member of a Panel who experiences a
4 significant financial hardship due to the loss of income on
5 days of attendance at meetings or while otherwise engaged in
6 the business of the Panel may be paid a hardship allowance,
7 as determined by and subject to the approval of the
8 Governor's Travel Control Board. The salary of the Chairman
9 ~~of the State Panel shall be \$82,429 per year, or as set by~~
10 ~~the Compensation Review Board, whichever is greater, and that~~
11 ~~of the other members of the State and Local Panels shall be~~
12 ~~\$74,188 per year, or as set by the Compensation Review Board,~~
13 ~~whichever is greater.~~

14 (d) No member shall hold any other public office or be
15 employed as a labor or management representative by the State
16 or any political subdivision of the State or of any
17 department or agency thereof, or actively represent or act on
18 behalf of an employer or an employee organization or an
19 employer in labor relations matters.

20 Any member of the State Panel may be removed from office
21 by the Governor for inefficiency, neglect of duty, misconduct
22 or malfeasance in office, and for no other cause, and only
23 upon notice and hearing. Any member of the Local Panel may
24 be removed from office by the applicable appointive authority
25 for inefficiency, neglect of duty, misconduct or malfeasance
26 in office, and for no other cause, and only upon notice and
27 hearing.

28 (e) Each panel at the end of every State fiscal year
29 shall make a report in writing to the Governor and the
30 General Assembly, stating in detail the work it has done in
31 hearing and deciding cases and otherwise.

32 (f) In order to accomplish the objectives and carry out
33 the duties prescribed by this Act, a panel or its authorized
34 designees may hold elections to determine whether a labor

1 organization has majority status; investigate and attempt to
2 resolve or settle charges of unfair labor practices; hold
3 hearings in order to carry out its functions; develop and
4 effectuate appropriate impasse resolution procedures for
5 purposes of resolving labor disputes; require the appearance
6 of witnesses and the production of evidence on any matter
7 under inquiry; and administer oaths and affirmations. The
8 panels shall sign and report in full an opinion in every case
9 which they decide.

10 (g) Each panel shall have an executive director, who
11 shall be appointed by the Governor without the advice and
12 consent of the Senate. The salary and duties of the
13 executive director shall be fixed by the panel.

14 Each panel may appoint or employ an--executive--direeter,
15 attorneys, hearing officers, mediators, fact-finders,
16 arbitrators, and such other employees as it may deem
17 necessary to perform its functions. The governing boards
18 shall prescribe the duties and qualifications of such persons
19 appointed and, subject to the annual appropriation, fix their
20 compensation and provide for reimbursement of actual and
21 necessary expenses incurred in the performance of their
22 duties.

23 (h) Each panel shall exercise general supervision over
24 all attorneys which it employs and over the other persons
25 employed to provide necessary support services for such
26 attorneys. The panels shall have final authority in respect
27 to complaints brought pursuant to this Act.

28 (i) The following rules and regulations shall be adopted
29 by the panels meeting in joint session: (1) procedural rules
30 and regulations which shall govern all Board proceedings; (2)
31 procedures for election of exclusive bargaining
32 representatives pursuant to Section 9, except for the
33 determination of appropriate bargaining units; (3)
34 appointment of counsel pursuant to subsection (k) of this

1 Section.

2 (j) Rules and regulations may be adopted, amended or
3 rescinded only upon a vote of 4 of-5 of the members of the
4 State and Local Panels meeting in joint session. The
5 adoption, amendment or rescission of rules and regulations
6 shall be in conformity with the requirements of the Illinois
7 Administrative Procedure Act.

8 (k) The panels in joint session shall promulgate rules
9 and regulations providing for the appointment of attorneys or
10 other Board representatives to represent persons in unfair
11 labor practice proceedings before a panel. The regulations
12 governing appointment shall require the applicant to
13 demonstrate an inability to pay for or inability to otherwise
14 provide for adequate representation before a panel. Such
15 rules must also provide: (1) that an attorney may not be
16 appointed in cases which, in the opinion of a panel, are
17 clearly without merit; (2) the stage of the unfair labor
18 proceeding at which counsel will be appointed; and (3) the
19 circumstances under which a client will be allowed to select
20 counsel.

21 (1) The panels in joint session may promulgate rules and
22 regulations which allow parties in proceedings before a panel
23 to be represented by counsel or any other representative of
24 the party's choice.

25 (m) The Chairman of the State Panel shall serve as
26 Chairman of a joint session of the panels.

27 Attendance of at least 2 members of the State Panel and
28 at least one member of the Local Panel, in addition to the
29 Chairman, shall constitute a quorum at a joint session. The
30 panels shall meet in joint session at least annually.

31 (Source: P.A. 91-798, eff. 7-9-00.)

32 Section 10-5. The Election Code is amended by changing
33 Sections 1A-3, 1A-3.1, 1A-6, and 1A-6.1 as follows:

1 (10 ILCS 5/1A-3) (from Ch. 46, par. 1A-3)

2 Sec. 1A-3. Appointment of members. Subject to the
3 confirmation requirements of Section 1A-4, 4 members of the
4 State Board of Elections shall be appointed in each
5 odd-numbered year as follows:

6 (1) The Governor shall appoint 2 members of the same
7 political party with which he is affiliated, one from each
8 area of required residence.

9 (2) The Governor shall appoint 2 members of the
10 political party whose candidate for Governor in the most
11 recent general election received the second highest number of
12 votes, one from each area of required residence, from a list
13 of nominees submitted by the first state executive officer in
14 the order indicated herein affiliated with such political
15 party: Attorney General, Secretary of State, Comptroller,
16 and Treasurer. If none of the State executive officers listed
17 herein is affiliated with such political party, the
18 nominating State officer shall be the first State executive
19 officer in the order indicated herein affiliated with an
20 established political party other than that of the Governor.

21 (3) The nominating state officer shall submit in writing
22 to the Governor 3 names of qualified persons for each
23 membership on the Board of Election to be appointed from the
24 political party of that officer. The Governor may reject any
25 or all of the nominees on any such list and may request an
26 additional list. The second list shall be submitted by the
27 nominating officer and shall contain 3 new names of qualified
28 persons for each remaining appointment, except that if the
29 Governor expressly reserves any nominee's name from the first
30 list, that nominee shall not be replaced on the second list.
31 The second list shall be final.

32 (4) Whenever all the state executive officers designated
33 in paragraph (2) are affiliated with the same political party
34 as that of the Governor, all 4 members of the Board to be

1 appointed that year, from both designated political parties,
2 shall be appointed by the Governor without nominations.

3 (5) The Governor shall submit in writing to the
4 President of the Senate the name of each person appointed to
5 the State Board of Elections, and shall designate the term
6 for which the appointment is made and the name of the member
7 whom the appointee is to succeed.

8 (6) The appointments shall be made and submitted by the
9 Governor no later than April 1 and a nominating state officer
10 required to submit a list of nominees to the Governor
11 pursuant to paragraph (3) shall submit a list no later than
12 March 1.

13 (7) In the appointment of the initial members of the
14 Board pursuant to this amendatory Act of the 93rd General
15 Assembly 1978, the provisions of paragraphs (1), (2), (3),
16 (5) and (6) of this Section shall apply except that the
17 Governor shall appoint all 8 members, 2 from each of the
18 designated political parties from each area of required
19 residence.

20 (Source: P.A. 85-958.)

21 (10 ILCS 5/1A-3.1) (from Ch. 46, par. 1A-3.1)

22 Sec. 1A-3.1. Terms. Notwithstanding any other provision
23 of this Section, the term of each member of the Board who is
24 in office on June 30, 2003 shall terminate at the close of
25 business on that date or when all of the successor members to
26 be appointed pursuant to this amendatory Act of the 93rd
27 General Assembly have been appointed by the Governor,
28 whichever occurs later.

29 ~~Of--the--members--initially--appointed--to--the--State--Board--of~~
30 ~~Elections--pursuant--to--this--amendatory--Act--of--1978,--one--member~~
31 ~~affiliated--with--each--political--party--from--each--area--of~~
32 ~~required--residence--shall--serve--a--term--commencing--July--1,--1978~~
33 ~~and--ending--June--30,--1979,--and--the--other--initial--members--shall~~

1 ~~serve terms commencing July 1, 1978 and ending June 30, 1981.~~

2 Notwithstanding any provision in this Section to the
3 contrary, the term of office of each member of the State
4 Board of Elections is abolished on the effective date of this
5 amendatory Act of 1985.

6 Subject to the confirmation requirements of Section 1A-4,
7 new members of the State Board of Elections shall be
8 appointed pursuant to this amendatory Act of the 93rd General
9 Assembly in accordance with the provisions of Section 1A-3,
10 except that the Governor shall appoint 4 members of the same
11 political party with which he is affiliated and 4 members of
12 the political party whose candidate for Governor in the most
13 recent general election received the second highest number of
14 votes and except that a nominating State officer shall submit
15 to the Governor his required list of nominees within 15 days
16 after the effective date of this amendatory Act of the 93rd
17 General Assembly ~~current terms of office are abolished~~ and
18 the Governor shall make appointments within 30 days after
19 that effective date ~~the current terms of office are~~
20 ~~abolished.~~

21 Of the members initially appointed to the State Board of
22 Elections pursuant to this amendatory Act of the 93rd General
23 Assembly 1985, one member affiliated with each political
24 party for each area of required residence shall serve a term
25 ~~commencing July 1, 1985, and ending July 1, 2005~~ 1987, and
26 the other initial members shall serve terms ~~commencing July~~
27 ~~1, 1985, and ending July 1, 2007~~ 1989.

28 The terms of subsequent members of the State Board of
29 Elections shall be 4 years commencing on July 1 of the year
30 in which the appointments are made.

31 A member shall serve until his successor is duly
32 appointed and has qualified. No appointee shall enter upon
33 the duties of his office until all members required to be
34 appointed in that year have been confirmed by the Senate by

1 record vote pursuant to Section 1A-4.

2 (Source: P.A. 84-115.)

3 (10 ILCS 5/1A-6) (from Ch. 46, par. 1A-6)

4 Sec. 1A-6. Chairman. One member of the State Board of
5 Elections shall be elected by the members of the Board to be
6 chairman and shall serve as chairman of the Board for a term
7 ending June 30, 1979. On July 1 of 1979 and on July 1 of
8 each odd-numbered year thereafter, a chairman shall be
9 elected by the members of the Board for a 2 year term ending
10 June 30 of the next odd-numbered year. If July 1 of any
11 odd-numbered year does not fall on a business day, said
12 election shall be held on the first business day thereafter.
13 The chairman elected for each 2 year term shall not be of the
14 same political party affiliation as the prior chairman.
15 Whenever a vacancy occurs in the office of chairman, a new
16 chairman of the same political party affiliation shall be
17 elected for the remainder of the vacating chairman's term.
18 Whenever a chairman is elected, the Board shall elect from
19 among its members, a vice chairman who shall not be of the
20 same political party affiliation as the chairman.

21 Upon the confirmation of all of the members of the State
22 Board of Elections initially appointed under this the
23 amendatory Act of the 93rd General Assembly 1978, the
24 Governor shall designate one of the members as interim
25 chairman who shall preside over the Board until a chairman is
26 elected pursuant to this Section.

27 (Source: P.A. 80-1178.)

28 (10 ILCS 5/1A-6.1) (from Ch. 46, par. 1A-6.1)

29 Sec. 1A-6.1. Presiding officer; expenses.

30 (a) The chairman of the State Board of Elections shall
31 preside at all meetings of the Board, except that the vice
32 chairman shall preside at any meeting when the chairman is

1 absent.

2 (b) Board members shall not be compensated for their
3 service on the Board, but shall be reimbursed for actual
4 expenses incurred in the performance of their duties. A
5 member of the Board who experiences a significant financial
6 hardship due to the loss of income on days of attendance at
7 meetings or while otherwise engaged in the business of the
8 Board may be paid a hardship allowance, as determined by and
9 subject to the approval of the Governor's Travel Control
10 Board. The salary of the chairman shall be \$25,000 per year,
11 or as set by the Compensation Review Board, whichever is
12 greater, and the salary of the vice chairman shall be \$20,000
13 per year, or as set by the Compensation Review Board,
14 whichever is greater. The salary of the other Board members
15 shall be \$15,000 per year, or as set by the Compensation
16 Review Board, whichever is greater. Each member shall be
17 reimbursed for actual expenses incurred in the performance of
18 duties.

19 (Source: P.A. 83-1177.)

20 Section 20-5. The Civil Administrative Code of Illinois
21 is amended by changing Sections 5-155, 5-340, 5-380, and
22 5-565 as follows:

23 (20 ILCS 5/5-155) (was 20 ILCS 5/5.04)

24 Sec. 5-155. In the Office of Mines and Minerals of the
25 Department of Natural Resources. In the Office of Mines and
26 Minerals of the Department of Natural Resources, there shall
27 be a State Mining Board, which

28 Until July 1, 2003 or when all of the new members to be
29 initially appointed under this amendatory Act of the 93rd
30 General Assembly have been appointed by the Governor,
31 whichever occurs later, the State Mining Board shall consist
32 of 6 officers designated as mine officers and the Director of

1 the Office of Mines and Minerals.

2 The term of each appointed member of the Board who is in
3 office on June 30, 2003 shall terminate at the close of
4 business on that date or when all of the new members to be
5 initially appointed under this amendatory Act of the 93rd
6 General Assembly have been appointed by the Governor,
7 whichever occurs later.

8 Beginning on July 1, 2003 or when all of the new members
9 to be initially appointed under this amendatory Act of the
10 93rd General Assembly have been appointed by the Governor,
11 whichever occurs later, the State Mining Board shall consist
12 of 6 officers designated as mine officers; 2 members at
13 large; and the Director of the Office of Mines and Minerals,
14 who shall serve as chairman.

15 Three mine officers shall be representatives of the
16 employing class and 3 of the employee class. The 6 mine
17 officers shall be qualified as follows:

18 (1) Two mine officers from the employing class
19 shall have at least 4 years experience in a supervisory
20 capacity in an underground coal mine and each shall hold
21 a certificate of competency as a mine examiner or mine
22 manager.

23 (2) The third mine officer from the employing class
24 shall have at least 4 years experience in a supervisory
25 capacity in a surface coal mine.

26 (3) Two mine officers from the employee class shall
27 have 4 years experience in an underground coal mine and
28 shall hold a first class certificate of competency.

29 (4) The third mine officer from the employee class
30 shall have at least 4 years experience in a surface coal
31 mine.

32 (Source: P.A. 91-239, eff. 1-1-00.)

33 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

1 Sec. 5-340. In the Department of Employment Security.
2 The Director of Employment Security shall receive an annual
3 salary of as set by the Governor from time to time or an
4 amount set by the Compensation Review Board, whichever is
5 greater.

6 Each member of the Board of Review whose term began
7 before the effective date of this amendatory Act of the 93rd
8 General Assembly shall receive \$15,000.

9 A member of the Board of Review whose term begins on or
10 after the effective date of this amendatory Act of the 93rd
11 General Assembly shall receive no compensation for service on
12 the Board of Review, but may be reimbursed for expenses
13 incurred in the course of that service. A member of the
14 Board who experiences a significant financial hardship due to
15 the loss of income on days of attendance at meetings or while
16 otherwise engaged in the business of the Board may be paid a
17 hardship allowance, as determined by and subject to the
18 approval of the Governor's Travel Control Board.

19 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,
20 eff. 6-28-01.)

21 (20 ILCS 5/5-380) (was 20 ILCS 5/9.04)

22 Sec. 5-380. In the Office of Mines and Minerals of the
23 Department of Natural Resources. Each mine officer whose
24 term began before the effective date of this amendatory Act
25 of the 93rd General Assembly shall receive \$7,500 or the
26 amount set by the Compensation Review Board, whichever is
27 greater.

28 A mine officer who is appointed to a term that begins on
29 or after the effective date of this amendatory Act of the
30 93rd General Assembly shall receive no compensation for
31 service as a mine officer, but may be reimbursed for expenses
32 incurred in the course of that service as provided in the
33 Coal Mining Act.

1 (Source: P.A. 91-239, eff. 1-1-00.)

2 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

3 Sec. 5-565. In the Department of Public Health.

4 (a) The General Assembly declares it to be the public
5 policy of this State that all citizens of Illinois are
6 entitled to lead healthy lives. Governmental public health
7 has a specific responsibility to ensure that a system is in
8 place to allow the public health mission to be achieved. To
9 develop a system requires certain core functions to be
10 performed by government. The State Board of Health is to
11 assume the leadership role in advising the Director in
12 meeting the following functions:

- 13 (1) Needs assessment.
- 14 (2) Statewide health objectives.
- 15 (3) Policy development.
- 16 (4) Assurance of access to necessary services.

17 There shall be a State Board of Health composed of 17
18 persons, all of whom shall be appointed by the Governor, with
19 the advice and consent of the Senate for those appointed by
20 the Governor on and after June 30, 1998, and one of whom
21 shall be a senior citizen age 60 or over. Five members shall
22 be physicians licensed to practice medicine in all its
23 branches, one representing a medical school faculty, one who
24 is board certified in preventive medicine, and 2 who are
25 engaged in private practice. One member shall be a dentist;
26 one an environmental health practitioner; one a local public
27 health administrator; one a local board of health member; one
28 a registered nurse; one a veterinarian; one a public health
29 academician; one a health care industry representative; and 4
30 shall be citizens at large.

31 In the appointment of the first Board of Health members
32 appointed after September 19, 1991 (the effective date of
33 Public Act 87-633), the Governor shall appoint 5 members to

1 serve for terms of 5 years; 5 members to serve for terms of 2
2 years; and 5 members to serve for a term of one year. Members
3 appointed thereafter shall be appointed for terms of 3 years,
4 except that when an appointment is made to fill a vacancy,
5 the appointment shall be for the remaining term of the
6 position vacated. The initial terms for the 2 additional
7 members of the board who are citizens at large appointed
8 under Public Act 90-607 shall be for 3 years each, with these
9 positions thereafter being filled as with other members
10 appointed by the Governor. All members shall be legal
11 residents of the State of Illinois. The duties of the Board
12 shall include, but not be limited to, the following:

13 (1) To advise the Department of ways to encourage
14 public understanding and support of the Department's
15 programs.

16 (2) To evaluate all boards, councils, committees,
17 authorities, and bodies advisory to, or an adjunct of,
18 the Department of Public Health or its Director for the
19 purpose of recommending to the Director one or more of
20 the following:

21 (i) The elimination of bodies whose activities
22 are not consistent with goals and objectives of the
23 Department.

24 (ii) The consolidation of bodies whose
25 activities encompass compatible programmatic
26 subjects.

27 (iii) The restructuring of the relationship
28 between the various bodies and their integration
29 within the organizational structure of the
30 Department.

31 (iv) The establishment of new bodies deemed
32 essential to the functioning of the Department.

33 (3) To serve as an advisory group to the Director
34 for public health emergencies and control of health

1 hazards.

2 (4) To advise the Director regarding public health
3 policy, and to make health policy recommendations
4 regarding priorities to the Governor through the
5 Director.

6 (5) To present public health issues to the Director
7 and to make recommendations for the resolution of those
8 issues.

9 (6) To recommend studies to delineate public health
10 problems.

11 (7) To make recommendations to the Governor through
12 the Director regarding the coordination of State public
13 health activities with other State and local public
14 health agencies and organizations.

15 (8) To report on or before February 1 of each year
16 on the health of the residents of Illinois to the
17 Governor, the General Assembly, and the public.

18 (9) To review the final draft of all proposed
19 administrative rules, other than emergency or preemptory
20 rules and those rules that another advisory body must
21 approve or review within a statutorily defined time
22 period, of the Department after September 19, 1991 (the
23 effective date of Public Act 87-633). The Board shall
24 review the proposed rules within 90 days of submission by
25 the Department. The Department shall take into
26 consideration any comments and recommendations of the
27 Board regarding the proposed rules prior to submission to
28 the Secretary of State for initial publication. If the
29 Department disagrees with the recommendations of the
30 Board, it shall submit a written response outlining the
31 reasons for not accepting the recommendations.

32 In the case of proposed administrative rules or
33 amendments to administrative rules regarding immunization
34 of children against preventable communicable diseases

1 designated by the Director under the Communicable Disease
2 Prevention Act, after the Immunization Advisory Committee
3 has made its recommendations, the Board shall conduct 3
4 public hearings, geographically distributed throughout
5 the State. At the conclusion of the hearings, the State
6 Board of Health shall issue a report, including its
7 recommendations, to the Director. The Director shall
8 take into consideration any comments or recommendations
9 made by the Board based on these hearings.

10 (10) To make recommendations to the Governor
11 through the Director concerning the development and
12 periodic updating of Statewide health objectives
13 encompassing, in part, the periodically published federal
14 health objectives for the nation, which will provide the
15 basis for the policy development and assurance roles of
16 the State Health Department, and to make recommendations
17 to the Governor through the Director regarding
18 legislation and funding necessary to implement the
19 objectives.

20 (11) Upon the request of the Governor, to recommend
21 to the Governor candidates for Director of Public Health
22 when vacancies occur in the position.

23 (12) To adopt bylaws for the conduct of its own
24 business, including the authority to establish ad hoc
25 committees to address specific public health programs
26 requiring resolution.

27 Upon appointment, the Board shall elect a chairperson
28 from among its members.

29 Members of the Board whose terms began before the
30 effective date of this amendatory Act of the 93rd General
31 Assembly shall receive compensation for their services at the
32 rate of \$150 per day, not to exceed \$10,000 per year, as
33 designated by the Director for each day required for
34 transacting the business of the Board and shall be reimbursed

1 for necessary expenses incurred in the performance of their
2 duties.

3 Members of the Board appointed to terms that begin on or
4 after the effective date of this amendatory Act of the 93rd
5 General Assembly shall receive no compensation for their
6 service, but may be reimbursed for expenses incurred in the
7 course of that service. A member of the Board who
8 experiences a significant financial hardship due to the loss
9 of income on days of attendance at meetings or while
10 otherwise engaged in the business of the Board may be paid a
11 hardship allowance, as determined by and subject to the
12 approval of the Governor's Travel Control Board.

13 The Board shall meet from time to time at the call of the
14 Department, at the call of the chairperson, or upon the
15 request of 3 of its members, but shall not meet less than 4
16 times per year.

17 (b) (Blank).

18 (c) An Advisory Board on Necropsy Service to Coroners,
19 which shall counsel and advise with the Director on the
20 administration of the Autopsy Act. The Advisory Board shall
21 consist of 11 members, including a senior citizen age 60 or
22 over, appointed by the Governor, one of whom shall be
23 designated as chairman by a majority of the members of the
24 Board. In the appointment of the first Board the Governor
25 shall appoint 3 members to serve for terms of 1 year, 3 for
26 terms of 2 years, and 3 for terms of 3 years. The members
27 first appointed under Public Act 83-1538 shall serve for a
28 term of 3 years. All members appointed thereafter shall be
29 appointed for terms of 3 years, except that when an
30 appointment is made to fill a vacancy, the appointment shall
31 be for the remaining term of the position vacant. The members
32 of the Board shall be citizens of the State of Illinois. In
33 the appointment of members of the Advisory Board the Governor
34 shall appoint 3 members who shall be persons licensed to

1 practice medicine and surgery in the State of Illinois, at
2 least 2 of whom shall have received post-graduate training in
3 the field of pathology; 3 members who are duly elected
4 coroners in this State; and 5 members who shall have interest
5 and abilities in the field of forensic medicine but who shall
6 be neither persons licensed to practice any branch of
7 medicine in this State nor coroners. In the appointment of
8 medical and coroner members of the Board, the Governor shall
9 invite nominations from recognized medical and coroners
10 organizations in this State respectively. Board members,
11 while serving on business of the Board, shall receive actual
12 necessary travel and subsistence expenses while so serving
13 away from their places of residence.

14 (Source: P.A. 90-607, eff. 6-30-98; 91-239, eff. 1-1-00;
15 91-798, eff. 7-9-00.)

16 Section 20-415 The Personnel Code is amended by
17 changing Sections 7a, 7b, 7c, 7d, 7e, and 10 as follows:

18 (20 ILCS 415/7a) (from Ch. 127, par. 63b107a)

19 Sec. 7a. Civil Service Commission, organization. There
20 shall be a Civil Service Commission.

21 Until July 1, 2003 or when all of the new members to be
22 initially appointed under this amendatory Act of the 93rd
23 General Assembly have been appointed by the Governor,
24 whichever occurs later, the Commission shall consist of 5
25 members.

26 Beginning on July 1, 2003 or when all of the new members
27 to be initially appointed under this amendatory Act of the
28 93rd General Assembly have been appointed by the Governor,
29 whichever occurs later, the Commission shall consist of 3
30 members.

31 (Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 415/7b) (from Ch. 127, par. 63b107b)

Sec. 7b. Qualifications. The members of the Commission shall be persons in sympathy with the application of merit principles to public employment. Beginning with the members appointed pursuant to this amendatory Act of the 93rd General Assembly, no more than 2 members 3-members of the Commission may be adherents of the same political party.

(Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 415/7c) (from Ch. 127, par. 63b107c)

Sec. 7c. Appointment.

(a) Members of the Civil Service Commission ~~in-office-at the-time-of-the-effective-date-of-this-Act-shall-continue--in office--until-the-expiration-of-the-terms-for-which-they-were appointed.---~~ Their successors shall be appointed by the Governor with the advice and consent of the Senate for terms ending 6 years from the date of expiration of the terms for which their predecessors were appointed, except that a person appointed to fill a vacancy occurring prior to the expiration of a 6 year term shall be similarly appointed for the remainder of the unexpired term. Each member of the Commission shall hold office until his successor is appointed and qualified. The Governor shall appoint one of the members to serve as chairman of the Commission at the pleasure of the Governor.

(b) Notwithstanding any provision of this Section to the contrary, the term of office of each member of the Commission who is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the new members to be initially appointed under this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later. ~~is-abelished-on-the-effective-date of-this-amendatory-Act-of--1985,--but--the--incumbents--shall continue--to-exercise-all-of-the-powers-and-be-subject-to-all~~

1 of-the-duties--of--members--of--the--Commission--until--their
2 respective-successors-are-appointed-and-qualified.

3 The successors to the members whose terms of office are
4 herein abolished shall be appointed by the Governor with the
5 advice and consent of the Senate to terms of office as
6 follows: one member shall be appointed to a term of office to
7 expire on March 1, 2005 1987; one member shall be appointed
8 to a term of office to expire on March 1, 2007 1989; and one
9 member shall be appointed to a term of office to expire on
10 March 1, 2009 1991. The--2--additional-members-appointed
11 pursuant-to-this-amendatory-Act-of-the-91st-General--Assembly
12 shall--each--be--appointed--to--a-term-of-office-to-expire-on
13 March-1,-2005.--Each-member--of--the--Commission--shall--hold
14 office--until--his--successor--is--appointed--and--qualified.
15 Following--the-terms-of-office-established-in-this-paragraph,
16 successors--shall--be--appointed--in--accordance---with---the
17 provisions-of-the-first-paragraph-of-this-Section.

18 (Source: P.A. 91-798, eff. 7-9-00.)

19 (20 ILCS 415/7d) (from Ch. 127, par. 63b107d)

20 Sec. 7d. Compensation. The-chairman-shall-be-paid-an
21 annual-salary-of-\$8,200-from-the--third--Monday--in--January,
22 1979--to--the--third-Monday-in-January, 1980; \$8,700-from-the
23 third-Monday-in-January, 1980-to-the-third-Monday-in-January,
24 1981; \$9,300-from-the-third-Monday-in-January, 1981--to--the
25 third--Monday--in-January-1982; \$10,000-from-the-third-Monday
26 in-January, 1982-to-the-effective-date-of-this-amendatory-Act
27 of-the-91st-General-Assembly; and-\$25,000-thereafter,--or--as
28 set--by--the-Compensation-Review-Board, whichever-is-greater.
29 Other-members-of-the-Commission-shall-each-be-paid-an--annual
30 salary--of--\$5,500--from-the-third-Monday-in-January, 1979-to
31 the-third-Monday-in-January, 1980; \$6,000--from--the--third
32 Monday-in-January, 1980-to-the-third-Monday-in-January, 1981;
33 \$6,500--from--the--third-Monday-in-January, 1981-to-the-third

1 Monday-in-January,-1982;- \$7,500--from--the--third--Monday--in
 2 January,-1982-to-the-effective-date-of-this-amendatory-Act-of
 3 the--91st-General-Assembly;-and-\$20,000-thereafter,-or-as-set
 4 by-the-Compensation-Review-Board,-whichecker-is-greater-

5 Members of the Commission shall receive no compensation
 6 for their service, but they shall be entitled to
 7 reimbursement for necessary traveling and other official
 8 expenditures necessitated by their official duties. A member
 9 of the Commission who experiences a significant financial
 10 hardship due to the loss of income on days of attendance at
 11 meetings or while otherwise engaged in the business of the
 12 Commission may be paid a hardship allowance, as determined by
 13 and subject to the approval of the Governor's Travel Control
 14 Board.

15 (Source: P.A. 91-798, eff. 7-9-00.)

16 (20 ILCS 415/7e) (from Ch. 127, par. 63b107e)

17 Sec. 7e. Chairman, meetings. The Commission shall meet
 18 at such time and place as shall be specified by call of the
 19 chairman or the Director. At least one meeting shall be held
 20 each month. Notice of each meeting shall be given in writing
 21 to each member by the chairman at least three days in advance
 22 of the meeting.

23 Two Three members shall constitute a quorum for the
 24 transaction of business.

25 (Source: P.A. 91-798, eff. 7-9-00.)

26 (20 ILCS 415/10) (from Ch. 127, par. 63b110)

27 Sec. 10. Duties and powers of the Commission. The Civil
 28 Service Commission shall have duties and powers as follows:

29 (1) Upon written recommendations by the Director of the
 30 Department of Central Management Services to exempt from
 31 jurisdiction B of this Act positions which, in the judgment
 32 of the Commission, involve either principal administrative

1 responsibility for the determination of policy or principal
2 administrative responsibility for the way in which policies
3 are carried out. This authority may not be exercised,
4 however, with respect to the position of Assistant Director
5 of Public Aid in the Department of Public Aid.

6 (2) To require such special reports from the Director as
7 it may consider desirable.

8 (3) To disapprove original rules or any part thereof
9 within 90 days and any amendment thereof within 30 days after
10 the submission of such rules to the Civil Service Commission
11 by the Director, and to disapprove any amendments thereto in
12 the same manner.

13 (4) To approve or disapprove within 60 days from date of
14 submission the position classification plan submitted by the
15 Director as provided in the rules, and any revisions thereof
16 within 30 days from the date of submission.

17 (5) To hear appeals of employees who do not accept the
18 allocation of their positions under the position
19 classification plan.

20 (6) To hear and determine written charges filed seeking
21 the discharge, demotion of employees and suspension totaling
22 more than thirty days in any 12-month period, as provided in
23 Section 11 hereof, and appeals from transfers from one
24 geographical area in the State to another, and in connection
25 therewith to administer oaths, subpoena witnesses, and compel
26 the production of books and papers.

27 (7) The fees of subpoenaed witnesses under this Act for
28 attendance and travel shall be the same as fees of witnesses
29 before the circuit courts of the State, such fees to be paid
30 when the witness is excused from further attendance.
31 Whenever a subpoena is issued the Commission may require that
32 the cost of service and the fee of the witness shall be borne
33 by the party at whose insistence the witness is summoned.
34 The Commission has the power, at its discretion, to require a

1 deposit from such party to cover the cost of service and
2 witness fees and the payment of the legal witness fee and
3 mileage to the witness served with the subpoena. A subpoena
4 issued under this Act shall be served in the same manner as a
5 subpoena issued out of a court.

6 Upon the failure or refusal to obey a subpoena, a
7 petition shall be prepared by the party serving the subpoena
8 for enforcement in the circuit court of the county in which
9 the person to whom the subpoena was directed either resides
10 or has his or her principal place of business.

11 Not less than five days before the petition is filed in
12 the appropriate court, it shall be served on the person along
13 with a notice of the time and place the petition is to be
14 presented.

15 Following a hearing on the petition, the circuit court
16 shall have jurisdiction to enforce subpoenas issued pursuant
17 to this Section.

18 On motion and for good cause shown the Commission may
19 quash or modify any subpoena.

20 (8) To make an annual report regarding the work of the
21 Commission to the Governor, such report to be a public
22 report.

23 (9) If any violation of this Act is found, the
24 Commission shall direct compliance in writing.

25 (10) To have ~~appoint~~ a full-time executive secretary,
26 who shall be appointed by the Governor without the advice and
27 consent of the Senate, and to employ such other employees,
28 experts, and special assistants as may be necessary to carry
29 out the powers and duties of the Commission under this Act.
30 The and employees, experts, and special assistants so
31 appointed by the Commission shall be subject to the
32 provisions of jurisdictions A, B and C of this Act. These
33 powers and duties supersede any contrary provisions herein
34 contained.

1 (11) To make rules to carry out and implement their
2 powers and duties under this Act, with authority to amend
3 such rules from time to time.

4 (12) To hear or conduct investigations as it deems
5 necessary of appeals of layoff filed by employees appointed
6 under Jurisdiction B after examination provided that such
7 appeals are filed within 15 calendar days following the
8 effective date of such layoff and are made on the basis that
9 the provisions of the Personnel Code or of the Rules of the
10 Department of Central Management Services relating to layoff
11 have been violated or have not been complied with.

12 All hearings shall be public. A decision shall be
13 rendered within 60 days after receipt of the transcript of
14 the proceedings. The Commission shall order the
15 reinstatement of the employee if it is proven that the
16 provisions of the Personnel Code or of the Rules of the
17 Department of Central Management Services relating to layoff
18 have been violated or have not been complied with. In
19 connection therewith the Commission may administer oaths,
20 subpoena witnesses, and compel the production of books and
21 papers.

22 (13) Whenever the Civil Service Commission is authorized
23 or required by law to consider some aspect of criminal
24 history record information for the purpose of carrying out
25 its statutory powers and responsibilities, then, upon request
26 and payment of fees in conformance with the requirements of
27 Section 2605-400 of the Department of State Police Law (20
28 ILCS 2605/2605-400), the Department of State Police is
29 authorized to furnish, pursuant to positive identification,
30 such information contained in State files as is necessary to
31 fulfill the request.

32 (Source: P.A. 91-239, eff. 1-1-00.)

33 Section 20-1605. The Illinois Lottery Law is amended by

1 changing Section 6 as follows:

2 (20 ILCS 1605/6) (from Ch. 120, par. 1156)

3 Sec. 6. There is hereby created an independent board to
4 be known as the Lottery Control Board, consisting of 5
5 members, all of whom shall be citizens of the United States
6 and residents of this State and shall be appointed by the
7 Governor with the advice and consent of the Senate. No more
8 than 3 of the 5 members shall be members of the same
9 political party. A chairman of the Board shall be chosen
10 annually from the membership of the Board by a majority of
11 the members of the Board at the first meeting of the Board
12 each fiscal year.

13 Initial members shall be appointed to the Board by the
14 Governor as follows: one member to serve until July 1, 1974,
15 and until his successor is appointed and qualified; 2 members
16 to serve until July 1, 1975, and until their successors are
17 appointed and qualified; 2 members to serve until July 1,
18 1976, and until their successors are appointed and qualified.
19 As terms of members so appointed expire, their successors
20 shall be appointed for terms to expire the first day in July
21 3 years thereafter, and until their successors are appointed
22 and qualified.

23 Any vacancy in the Board occurring for any reason other
24 than expiration of term, shall be filled for the unexpired
25 term in the same manner as the original appointment.

26 Any member of the Board may be removed by the Governor
27 for neglect of duty, misfeasance, malfeasance, or nonfeasance
28 in office.

29 Board members shall receive as compensation for their
30 services \$100 for each day they are in attendance at any
31 official board meeting, but in no event shall members receive
32 more than \$1,200 per year. They shall receive no other
33 compensation for their services, but shall be reimbursed for

1 necessary traveling and other reasonable expenses incurred in
2 the performance of their official duties. A member of the
3 Board who experiences a significant financial hardship due to
4 the loss of income on days of attendance at meetings or while
5 otherwise engaged in the business of the Board may be paid a
6 hardship allowance, as determined by and subject to the
7 approval of the Governor's Travel Control Board.

8 Each member shall make a full financial disclosure upon
9 appointment.

10 The Board shall hold at least one meeting each quarter of
11 the fiscal year. In addition, special meetings may be called
12 by the Chairman, any 2 Board members, or the Director of the
13 Department, upon delivery of 72 hours' written notice to the
14 office of each member. All Board meetings shall be open to
15 the public pursuant to the Open Meetings Act.

16 Three members of the Board shall constitute a quorum, and
17 3 votes shall be required for any final determination by the
18 Board. The Board shall keep a complete and accurate record of
19 all its meetings.

20 (Source: P.A. 84-1128.)

21 Section 20-2610. The State Police Act is amended by
22 changing Sections 3, 5, 6, and 7 as follows:

23 (20 ILCS 2610/3) (from Ch. 121, par. 307.3)

24 Sec. 3. Merit Board. The Governor shall appoint, by and
25 with the advice and consent of the Senate, a Department of
26 State Police Merit Board, hereinafter called the Board,
27 consisting of 5 members to hold office, one until the third
28 Monday in March, 1951, one until the third Monday in March,
29 1953, and one until the third Monday in March, 1955, and
30 until their respective successors are appointed and
31 qualified. One of the members added by this amendatory Act
32 of 1977 shall serve a term expiring on the third Monday in

1 March, 1980, and until his successor is appointed and
2 qualified, and one shall serve a term expiring on the third
3 Monday in March, 1982, and until his successor is appointed
4 and qualified.

5 Notwithstanding any other provision of this Section, the
6 term of each member of the Board who was appointed by the
7 Governor and is in office on June 30, 2003 shall terminate at
8 the close of business on that date or when all of the
9 successor members to be appointed pursuant to this amendatory
10 Act of the 93rd General Assembly have been appointed by the
11 Governor, whichever occurs later. As soon as possible, the
12 Governor shall appoint persons to fill the vacancies created
13 by this amendatory Act.

14 Upon the expiration of the terms of office of those first
15 appointed, their respective successors shall be appointed to
16 hold office from the third Monday in March of the year of
17 their respective appointments for a term of six years and
18 until their successors are appointed and qualified for a like
19 term. No more than 3 members of the Board shall be
20 affiliated with the same political party. If the Senate is
21 not in session at the time initial appointments are made
22 pursuant to this Section, the Governor shall make temporary
23 appointments as in the case of a vacancy.

24 (Source: P.A. 87-284.)

25 (20 ILCS 2610/5) (from Ch. 121, par. 307.5)

26 Sec. 5. Expenses. Each member of the Board shall
27 ~~receive the sum of \$125 per day for each day during which he~~
28 ~~is engaged in transacting the business of the Board, or an~~
29 ~~amount set by the Compensation Review Board, whichever is~~
30 ~~greater, and, in addition thereto, his actual traveling and~~
31 other expenses necessarily incurred in discharging the duties
32 of his office; ~~provided, no member of the Board shall receive~~
33 ~~compensation for more than 100 days of work in any one fiscal~~

1 year. A member of the Board who experiences a significant
 2 financial hardship due to the loss of income on days of
 3 attendance at meetings or while otherwise engaged in the
 4 business of the Board may be paid a hardship allowance, as
 5 determined by and subject to the approval of the Governor's
 6 Travel Control Board.

7 (Source: P.A. 83-1177.)

8 (20 ILCS 2610/6) (from Ch. 121, par. 307.6)

9 Sec. 6. Executive director; staff. The Board shall have
 10 an Executive Director, who shall be appointed by the Governor
 11 without the advice and consent of the Senate. The salary and
 12 duties of the Executive Director shall be fixed by the Board.

13 The Board is authorized to employ such other clerical and
 14 technical staff assistants, not to exceed fifteen, as may be
 15 necessary to enable the Board to transact its business and,
 16 if the rate of compensation is not otherwise fixed by law, to
 17 fix their compensation.

18 (Source: Laws 1949, p. 1357.)

19 (20 ILCS 2610/7) (from Ch. 121, par. 307.7)

20 Sec. 7. Chairman; secretary; quorum. The Governor shall
 21 appoint one of the members of the Board to serve as chairman,
 22 who shall preside over meetings of the Board.

23 As soon as practicable after the members of the Board
 24 have been appointed, they shall meet and shall organize. The
 25 board shall elect one of its members to serve as secretary by
 26 electing-a-chairman-and-a-secretary.---The--initial--chairman
 27 and--secretary, and their successors, shall be elected by the
 28 Board from among its members for a term of two years or for
 29 the remainder of his or her their term of office as a member
 30 of the Board, whichever ~~which-ever~~ is the shorter.

31 Three members of the Board shall constitute a quorum for
 32 the transaction of business. The Board shall hold regular

1 quarterly meetings and such other meetings as may be called
2 by the chairman.

3 (Source: P.A. 80-1305.)

4 Section 20-3105. The Capital Development Board Act is
5 amended by changing Sections 5, 6, 7, and 8 as follows:

6 (20 ILCS 3105/5) (from Ch. 127, par. 775)

7 Sec. 5. Board membership.

8 (a) Until July 1, 2003 or when all of the new members to
9 be initially appointed under this amendatory Act of the 93rd
10 General Assembly have been appointed by the Governor,
11 whichever occurs later, the Board shall consist of 7 members,
12 no more than 4 of whom may be of the same political party,
13 all of whom shall be appointed by the Governor, by and with
14 the consent of the Senate, and one of whom shall be
15 designated as chairman by the Governor.

16 The term of each appointed member of the Board who is in
17 office on June 30, 2003 shall terminate at the close of
18 business on that date or when all of the new members to be
19 initially appointed under this amendatory Act of the 93rd
20 General Assembly have been appointed by the Governor,
21 whichever occurs later.

22 (b) Beginning on July 1, 2003 or when all of the new
23 members to be initially appointed under this amendatory Act
24 of the 93rd General Assembly have been appointed by the
25 Governor, whichever occurs later, the Board shall consist of
26 5 members, no more than 3 of whom may be of the same
27 political party, all of whom shall be appointed by the
28 Governor, by and with the consent of the Senate, and one of
29 whom shall be designated as chairman by the Governor.

30 (c) No person may be appointed as a member of the Board
31 who is serving as an elected officer for the State or for any
32 unit of local government within the State.

1 (d) If the Senate is not in session when the first
2 appointments are made, the Governor shall make temporary
3 appointments as in the case of a vacancy. In making the
4 first appointments pursuant to this amendatory Act of the
5 93rd General Assembly, the Governor shall designate 2 members
6 to serve until January, 2007, one member ~~1974~~₇~~-2-~~members to
7 serve until January, 2006, one member ~~1975~~₇~~--2--~~members to
8 serve until January, 2005, 1976 and one ~~1~~ member to serve
9 until January, 2004 ~~1977~~, or until their successors are
10 appointed and qualified. Their successors shall be appointed
11 to serve for 4 year terms expiring on the third Monday in
12 January or until their successors are appointed and
13 qualified.

14 Any vacancy occurring on the Board, whether by death,
15 resignation or otherwise, shall be filled by appointment by
16 the Governor in the same manner as original appointments. A
17 member appointed to fill a vacancy shall serve for the
18 remainder of the unexpired term or until his successor is
19 qualified.

20 (Source: P.A. 87-776.)

21 (20 ILCS 3105/6) (from Ch. 127, par. 776)

22 Sec. 6. Expenses; oath; bond.

23 (a) Members of the Board shall serve without
24 compensation but shall be reimbursed for their reasonable
25 expenses necessarily incurred in the performance of their
26 duties and the exercise of their powers under this Act. A
27 member of the Board who experiences a significant financial
28 hardship due to the loss of income on days of attendance at
29 meetings or while otherwise engaged in the business of the
30 Board may be paid a hardship allowance, as determined by and
31 subject to the approval of the Governor's Travel Control
32 Board.

33 (b) Each member shall before entering upon the duties of

1 his office, take and subscribe the constitutional oath of
2 office and give bond in the penal sum of \$100,000 conditioned
3 upon the faithful performance of his duties. The oath and
4 bond shall be filed in the office of the Secretary of State.

5 (Source: P.A. 77-1995.)

6 (20 ILCS 3105/7) (from Ch. 127, par. 777)

7 Sec. 7. Meetings; quorum.

8 (a) The Board shall meet at such times and places as is
9 provided for by the Board or, in the absence of such a
10 provision, on call of the chairman after at least 5 day's
11 written notice to the members and the request of 2 or more
12 members.

13 (b) If there is no vacancy on the Board, 4 members of
14 the Board shall constitute a quorum to transact business;
15 otherwise, a majority of the Board shall constitute a quorum
16 to transact business, and no vacancy shall impair the right
17 of the remaining members to exercise all of the powers of the
18 Board. Every action approved by a majority of the members of
19 the Board shall be deemed to be the action of the Board. Four
20 ~~members--shall--constitute--a--quorum.~~ No vacancy in the
21 membership shall impair the right of a quorum of the members
22 to exercise all of the rights and powers, and to perform all
23 of the duties, of the Board.

24 (Source: P.A. 77-1995.)

25 (20 ILCS 3105/8) (from Ch. 127, par. 778)

26 Sec. 8. Executive Director; employees.

27 (a) The Board shall have an Executive Director, who
28 shall be appointed by the Governor without the advice and
29 consent of the Senate. The salary and duties of the
30 Executive Director shall be fixed by the Board. The
31 Executive Director shall serve as the chief executive officer
32 of the Board.

1 **(b)** The Board may employ and fix the compensation of an
 2 ~~executive-director, to-serve-as-the-chief--executive--officer~~
 3 ~~of--the--Board,--and~~ such other agents or employees as it
 4 considers necessary or desirable. Such employment other than
 5 of technical or engineering personnel shall be subject to the
 6 Personnel Code. If any employees are transferred to the
 7 Board from any other State agency, such a transfer shall not
 8 affect the status of such employees under the Personnel Code,
 9 under any retirement system under the Illinois Pension Code,
 10 or under any civil service, merit service or other law
 11 relating to State employment.

12 (Source: P.A. 77-1995.)

13 Section 20-3405. The Historic Preservation Agency Act is
 14 amended by changing Sections 3 and 4 as follows:

15 (20 ILCS 3405/3) (from Ch. 127, par. 2703)

16 Sec. 3. Agency; expenses; quorum; director.

17 (a) There is hereby created within the Executive Branch
 18 of State government the Historic Preservation Agency.

19 (b) The Agency shall be under the direction of a Board
 20 of Trustees.

21 Until July 1, 2003 or when all of the new members to be
 22 initially appointed under this amendatory Act of the 93rd
 23 General Assembly have been appointed by the Governor,
 24 whichever occurs later, the Board, which shall be composed of
 25 7 members appointed by the Governor, by and with the consent
 26 of the Senate. No more than 4 members of the Board shall be
 27 of the same political party.

28 The term of each appointed member of the Board who is in
 29 office on June 30, 2003 shall terminate at the close of
 30 business on that date or when all of the new members to be
 31 initially appointed under this amendatory Act of the 93rd
 32 General Assembly have been appointed by the Governor,

1 whichever occurs later.

2 Beginning on July 1, 2003 or when all of the new members
3 to be initially appointed under this amendatory Act of the
4 93rd General Assembly have been appointed by the Governor,
5 whichever occurs later, the Board shall be composed of 5
6 members appointed by the Governor, by and with the consent of
7 the Senate. No more than 3 members of the Board shall be of
8 the same political party.

9 The Governor shall designate one member of the Board to
10 serve as Chairman.

11 In making the initial appointments to the Board pursuant
12 to ~~after--the--effective--date--of~~ this amendatory Act of the
13 93rd General Assembly, the Governor shall designate three
14 ~~members,--all--of--whom--shall--have--been--members--of--the--Board--of~~
15 ~~Trustees--of--the--Illinois--State--Historical--Library--on--March~~
16 ~~28,--1985,~~ to serve until the third Monday in January, 2005
17 and 1986,~~--or~~ until their successors are appointed and
18 qualified and two members to serve until the third first
19 Monday in January, 2004 and 1987,~~--or~~ until their successors
20 are appointed and qualified. In ~~making--the--initial~~
21 ~~appointments--of--the--additional--members--of--the--Board--required~~
22 ~~by--this--amendatory--Act--of--1990,~~ the Governor shall ~~designate~~
23 ~~1--member--to--serve--until--the--third--Monday--in--January,~~ 1991 and
24 ~~1--member--to--serve--until--the--third--Monday--in--January--1992.~~
25 Thereafter, their successors shall be appointed to serve for
26 two year terms expiring on the third Monday in January and
27 until their successors are appointed and qualified.

28 (c) The members of the Board shall receive no
29 compensation for their services, except for their actual
30 expenses while in the discharge of their official duties. A
31 member of the Board who experiences a significant financial
32 hardship due to the loss of income on days of attendance at
33 meetings or while otherwise engaged in the business of the
34 Board may be paid a hardship allowance, as determined by and

1 subject to the approval of the Governor's Travel Control
2 Board.

3 (d) If there is no vacancy on the Board, 4 members of
4 the Board shall constitute a quorum to transact business;
5 otherwise, a majority of the Board shall constitute a quorum
6 to transact business, and no vacancy shall impair the right
7 of the remaining members to exercise all of the powers of the
8 Board. Every action approved by a majority of the members of
9 the Board shall be deemed to be the action of the Board. Four
10 ~~members-of-the-Board-shall-constitute-a-quorum-to-do-business~~
11 ~~and-the-concurrence-of-at-least-4-members-shall-be--necessary~~
12 ~~for-a-decision.~~

13 (e) The Board shall employ and fix the compensation of
14 ~~the-Director--and~~ such other agents or employees as it
15 considers necessary to carry out the purposes of this Act.

16 (Source: P.A. 86-1336.)

17 (20 ILCS 3405/4) (from Ch. 127, par. 2704)

18 Sec. 4. Policy; divisions; director; librarian. The
19 Board shall be responsible for setting and determining policy
20 for the Agency.

21 The Agency shall consist of: (1) an Abraham Lincoln
22 Presidential Library and Museum and (2) a Historic Sites and
23 Preservation Division. Except as otherwise provided in this
24 Act, any reference in any other Act to the Historic
25 Preservation Agency shall be deemed to be a reference to the
26 Historic Sites and Preservation Division and any reference to
27 the Director of Historic Preservation shall be deemed to be a
28 reference to the Director of Historic Sites and Preservation,
29 unless the context clearly indicates otherwise.

30 The Governor, without the advice and consent of the
31 Senate, Board shall appoint a chief executive officer of the
32 Agency, who shall be known as the Director of Historic Sites
33 and Preservation. The Director shall serve at the pleasure

1 of the Governor Board. The Director shall, subject to
2 applicable provisions of law, execute the powers and
3 discharge the duties vested in the Historic Sites and
4 Preservation Division of the Agency by law and implement the
5 policies set by the Board. The Director shall manage the
6 Historic Sites and Preservation Division of the Agency.

7 The Director, with the concurrence of the Board, shall
8 appoint Division Chiefs and the Deputy Director of the
9 Historic Sites and Preservation Division of the Agency.
10 Subject to concurrence by the Board, the Director shall
11 appoint such other employees of the Historic Sites and
12 Preservation Division of the Agency as he or she deems
13 appropriate and shall fix the compensation of such Division
14 Chiefs, the Deputy Director and other employees.

15 The Board shall appoint the Illinois State Historian, who
16 shall provide historical expertise, support, and service to
17 all divisions of the Historic Preservation Agency. The State
18 Historian is the State's authority on Abraham Lincoln and the
19 history of Illinois.

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

21 Section 20-3505. The Illinois Development Finance
22 Authority Act is amended by changing Section 4 as follows:

23 (20 ILCS 3505/4) (from Ch. 48, par. 850.04)

24 Sec. 4. There is hereby created a political subdivision,
25 body politic and corporate by the name and style of Illinois
26 Development Finance Authority. The exercise by the Authority
27 of the powers conferred by law shall be an essential public
28 function.

29 Until July 1, 2003 or when all of the new members to be
30 initially appointed under this amendatory Act of the 93rd
31 General Assembly have been appointed by the Governor,
32 whichever occurs later, the governing powers of the Authority

1 shall be vested in a body consisting of 17 members including,
2 as ex officio members, the Director of Labor and the Director
3 of the Department of Commerce and Community Affairs or their
4 designees. The other 15 members of the Authority shall be
5 appointed by the Governor with the advice and consent of the
6 Senate and shall be designated "public members".

7 The term of each appointed member of the Authority who is
8 in office on June 30, 2003 shall terminate at the close of
9 business on that date or when all of the new members to be
10 initially appointed under this amendatory Act of the 93rd
11 General Assembly have been appointed by the Governor,
12 whichever occurs later.

13 Beginning on July 1, 2003 or when all of the new members
14 to be initially appointed under this amendatory Act of the
15 93rd General Assembly have been appointed by the Governor,
16 whichever occurs later, the governing powers of the Authority
17 shall be vested in a body consisting of 11 members including,
18 as ex officio members, the Director of Labor and the Director
19 of Commerce and Community Affairs or their designees. The
20 other 9 members of the Authority shall be appointed by the
21 Governor with the advice and consent of the Senate and shall
22 be designated "public members".

23 Six ~~Nine~~ members shall constitute a quorum. However,
24 when a quorum of members of the Authority is physically
25 present at the meeting site, other Authority members may
26 participate in and act at any meeting through the use of a
27 conference telephone or other communications equipment by
28 means of which all persons participating in the meeting can
29 hear each other. Participation in such meeting shall
30 constitute attendance and presence in person at the meeting
31 of the person or persons so participating.

32 Not more than 5 public members ~~9-members~~ of the Authority
33 may be of the same political party.

34 The Governor shall appoint one of the members of the

1 Authority to serve as chairman. The--Chairman--of--the
2 Authority--shall-be-elected-by-the-Authority--from--among--its
3 public-members,--all-of-whom

4 The public members of the Authority shall be persons of
5 recognized ability and experience in one or more of the
6 following areas: economic development, finance, banking,
7 industrial development, small business management, real
8 estate development, community development, venture finance,
9 construction, and labor relations. At least one public
10 member shall be a representative of the interests of
11 organized labor.

12 The--terms-of-all-members-of-the-Authority-holding-office
13 on-the-effective-date-of-this-amendatory-Act-of--1983,--other
14 than--the-ex-officio-members,--shall-expire-90-days-after-that
15 date,--and-the-Governor-shall-appoint--10--new--members--whose
16 terms--shall-commence-the-day-following-such-expiration-date.
17 Of-the-members-initially-appointed-by-the--Governor--pursuant
18 to-this-amendatory-Act-of-1983,--5-shall-serve-until-the-third
19 Monday--in--January,--1985--and-5-shall-serve-until-the-third
20 Monday-in-January,--1987,--and--until--their--successors--are
21 appointed--and--qualified.---The--members-initially-appointed
22 under-this-amendatory-Act-of-1985-shall-serve-until-the-third
23 Monday-in-January--1989.---The--members--initially--appointed
24 under--this-amendatory-Act-of-the-91st-General-Assembly-shall
25 serve-until-the-3rd-Monday--in--January--2004.---Each--member
26 appointed-under-this-paragraph-who-is-confirmed-by-the-Senate
27 shall--hold--office--during--the-specified-time-and-until-his
28 successor-shall-be-appointed-and-qualified.

29 Of the public members initially appointed by the Governor
30 pursuant to this amendatory Act of the 93rd General Assembly,
31 5 shall serve until the third Monday in January, 2007 and 4
32 shall serve until the third Monday in January, 2005, and
33 until their successors are appointed and qualified. All
34 successors shall hold office for a term of 4 years commencing

1 the third Monday in January of the year in which their term
2 commences, except in case of an appointment to fill a
3 vacancy. In case of vacancy in the office when the Senate is
4 not in session, the Governor may make a temporary appointment
5 until the next meeting of the Senate when he shall nominate
6 such person to fill such office, and any person so nominated
7 who is confirmed by the Senate, shall hold his office during
8 the remainder of the term and until his successor shall be
9 appointed and qualified. ~~If the Senate is not in session at~~
10 ~~the time the amendatory Acts of 1983 and 1985 and of the 91st~~
11 ~~General Assembly take effect, the Governor may make temporary~~
12 ~~appointments of the new public members as in the case of~~
13 ~~vacancies.~~

14 Members of the Authority shall not be entitled to
15 compensation for their services as members, but shall be
16 entitled to reimbursement for all necessary expenses incurred
17 in connection with the performance of their duties as
18 members. A member of the Board who experiences a significant
19 financial hardship due to the loss of income on days of
20 attendance at meetings or while otherwise engaged in the
21 business of the Board may be paid a hardship allowance, as
22 determined by and subject to the approval of the Governor's
23 Travel Control Board.

24 The Governor may remove any public member of the
25 Authority in case of incompetency, neglect of duty, or
26 malfeasance in office, after service on him of a copy of the
27 written charges against him and an opportunity to be publicly
28 heard in person or by counsel in his own defense upon not
29 less than 10 days notice.

30 The Governor ~~members of the Authority~~ shall appoint an
31 Executive Director, who shall be a person knowledgeable in
32 the areas of financial markets and instruments and the
33 financing of business enterprises, to hold office during the
34 pleasure of the Governor members. The Executive Director

1 shall be the chief administrative and operational officer of
 2 the Authority and shall direct and supervise its
 3 administrative affairs and general management and perform
 4 such other duties as may be prescribed from time to time by
 5 the members and shall receive compensation fixed by the
 6 Authority. The Executive Director or any committee of the
 7 members may carry out such responsibilities of the members as
 8 the members by resolution may delegate. The Executive
 9 Director shall attend all meetings of the Authority; however,
 10 no action of the Authority shall be invalid on account of the
 11 absence of the Executive Director from a meeting.

12 The Authority may engage the services of such other
 13 agents and employees, including attorneys, appraisers,
 14 engineers, accountants, credit analysts and other
 15 consultants, as it may deem advisable and may prescribe their
 16 duties and fix their compensation.

17 (Source: P.A. 91-798, eff. 7-9-00.)

18 Section 20-3605. The Illinois Farm Development Act is
 19 amended by changing Sections 4, 5, 6, and 7 as follows:

20 (20 ILCS 3605/4) (from Ch. 5, par. 1204)

21 Sec. 4. Authority created; appointments. There is hereby
 22 created a body politic and corporate to be known as the
 23 Illinois Farm Development Authority.

24 Until July 1, 2003 or when all of the new members to be
 25 initially appointed under this amendatory Act of the 93rd
 26 General Assembly have been appointed by the Governor,
 27 whichever occurs later, the Board of the Authority shall
 28 consist of 7 members--The-Board-shall-consist-of--7--members,
 29 no more than 4 of whom may be of the same political party,
 30 all of whom shall be appointed by the Governor, by and with
 31 the consent of the Senate.

32 The term of each appointed member of the Board who is in

1 office on June 30, 2003 shall terminate at the close of
 2 business on that date or when all of the new members to be
 3 initially appointed under this amendatory Act of the 93rd
 4 General Assembly have been appointed by the Governor,
 5 whichever occurs later.

6 Beginning on July 1, 2003 or when all of the new members
 7 to be initially appointed under this amendatory Act of the
 8 93rd General Assembly have been appointed by the Governor,
 9 whichever occurs later, the Board of the Authority shall
 10 consist of 5 members, no more than 3 of whom may be of the
 11 same political party, all of whom shall be appointed by the
 12 Governor, by and with the consent of the Senate.

13 No person may be appointed as a member of the Board who
 14 is serving as an elected officer for the State or for any
 15 unit of local government or school district within the State.
 16 All members shall be residents of the State, and shall be
 17 knowledgeable in the fields of finance and/or agriculture.

18 If the Senate is not in session when the first
 19 appointments are made, the Governor shall make temporary
 20 appointments as in the case of a vacancy. In making the
 21 first appointments pursuant to this amendatory Act of the
 22 93rd General Assembly, the Governor shall designate 2 members
 23 to serve until the third Monday in January, 2007 ~~1982,~~ 2
 24 members to serve until the third Monday in January, 2006, and
 25 one ~~1983,-2-members-to-serve-until-January,-1984-and-1~~ member
 26 to serve until the third Monday in January, 2005, and ~~1985,~~
 27 ~~or~~ until their successors are appointed and qualified. Their
 28 successors shall be appointed to serve for 4 year terms
 29 expiring on the third Monday in January or until their
 30 successors are appointed and qualified. Any vacancy
 31 occurring in the Board whether by death, resignation or
 32 otherwise, shall be filled by appointment by the Governor in
 33 the same manner as original appointments. A member appointed
 34 to fill a vacancy shall serve for the remainder of the

1 unexpired term or until his successor is qualified.

2 (Source: P.A. 82-518.)

3 (20 ILCS 3605/5) (from Ch. 5, par. 1205)

4 Sec. 5. Officers; reports; initial expenses. The
5 Governor shall appoint one of the members of the Board to
6 serve as chairman, who shall preside over meetings of the
7 Board. The Board shall annually elect, from its membership,
8 a chairman, vice-chairman, a treasurer, and a secretary. The
9 secretary shall be the keeper of the minutes, books, records,
10 files and seal of the Authority. The treasurer of the
11 Authority shall be custodian of all Authority funds, and
12 shall be bonded in such amount as the other members of the
13 Authority may designate.

14 The accounts and books of the Authority shall be set up
15 and maintained in a manner approved by the Auditor General,
16 and the Authority shall file with the Auditor General a
17 certified annual report within 120 days after the close of
18 its fiscal year. The Authority shall also file with the
19 State Treasurer, the Secretary of the Senate, the Clerk of
20 the House of Representatives and the Illinois Economic and
21 Fiscal Commission, by March 1 of each year, a written report
22 covering its activities for the previous calendar year and,
23 when so filed, such report shall be a public record and open
24 for inspection at the offices of the Authority during normal
25 business hours. The report shall include a complete list of
26 (a) all applications for mortgage loans and other financial
27 assistance presented to the Authority during such calendar
28 year, (b) all persons which have received any form of
29 financial assistance from the Authority during such calendar
30 year, (c) the nature and amount of all such financial
31 assistance, and (d) projected activities of the Authority for
32 the next calendar year, including a projection of the total
33 amount of mortgage loans and other financial assistance

1 anticipated and the amount of revenue bonds or other
2 evidences of indebtedness that will be necessary to provide
3 the projected level of assistance during the next calendar
4 year.

5 As soon as may be practicable after creation of the
6 Authority, the Board shall hold a meeting at which meeting
7 elective officers of the Board shall be elected, by-laws
8 adopted, and a schedule of regular meetings adopted.

9 The by-laws and schedule may be amended from time to time
10 at the will of the Board. Special meetings of the Board may
11 be called by the chairmen or any two members, and notice of
12 special meetings shall be given to members of the Board as
13 provided in the by-laws and otherwise as provided by law.
14 Members may waive notice and do so without further action by
15 being present at any meeting. Meetings of the Board shall be
16 subject to the acts of the General Assembly as generally
17 provide for meetings of public bodies to be open to the
18 public.

19 Initial operating staff and expenses of the Authority
20 shall be provided by the State Treasurer from appropriations
21 lawfully made by the General Assembly. As soon as may be
22 practicable, the Board shall provide for its expenses and
23 payment of employees, including salaries and contractual
24 agreements, from its operations by such charges and fees or
25 from the proceeds of Bonds as it may decide or from
26 investment earnings from special funds which the Authority is
27 empowered to use and at such time, if practicable, shall
28 reimburse the State Treasurer for prior costs and payments.

29 (Source: P.A. 89-154, eff. 7-19-95.)

30 (20 ILCS 3605/6) (from Ch. 5, par. 1206)

31 Sec. 6. Quorum; expenses.

32 (a) If there is no vacancy on the Board, 4 members of
33 the Board shall constitute a quorum to transact business;

1 otherwise, a majority of the Board shall constitute a quorum
 2 to transact business, and no vacancy shall impair the right
 3 of the remaining members to exercise all of the powers of the
 4 Board. Every action approved by a majority of the members of
 5 the Board shall be deemed to be the action of the Board.
 6 ~~Four--members--of--the--Board--shall--constitute--a--quorum--at--any~~
 7 ~~meeting--of--the--Board--and--the--affirmative--vote--of--4--members~~
 8 ~~shall--be--necessary--for--any--action--taken--by--the--Board--at--a~~
 9 ~~meeting,--except--that--a--lesser--number--may--adjourn--a--meeting~~
 10 ~~from--time--to--time.~~ No vacancy in the membership of the Board
 11 shall impair the right of a quorum to exercise all the rights
 12 and perform all the duties of the Board and Authority.

13 (b) The members of the Board shall serve without
 14 compensation, but each member shall be reimbursed for his
 15 necessary expenses incurred in the discharge of his official
 16 duties. A member of the Board who experiences a significant
 17 financial hardship due to the loss of income on days of
 18 attendance at meetings or while otherwise engaged in the
 19 business of the Board may be paid a hardship allowance, as
 20 determined by and subject to the approval of the Governor's
 21 Travel Control Board.

22 (Source: P.A. 82-518.)

23 (20 ILCS 3605/7) (from Ch. 5, par. 1207)

24 Sec. 7. The Authority shall have the following powers,
 25 together with all powers incidental thereto or necessary to
 26 the discharge thereof in corporate form:

27 (1) To have perpetual succession by its corporate name
 28 as a body politic and corporate;

29 (2) To sue and be sued in its own name in civil suits
 30 and actions, and to defend suits against it;

31 (3) To adopt and make use of a corporate seal and to
 32 alter the same at pleasure;

33 (4) To adopt, alter and repeal by-laws, not inconsistent

1 with the provisions of this Act, for the regulation and
2 conduct of its affairs and business;

3 (5) To loan its funds to one or more persons to be used
4 by such persons to pay the costs of acquiring, constructing,
5 reconstructing or improving Agricultural Facilities, soil or
6 water conservation projects or watershed areas, such loans to
7 be on such terms and conditions, and for such period of time,
8 and secured or evidenced by such mortgages, deeds of trust,
9 notes debentures, bonds or other secured or unsecured
10 evidences of indebtedness of such persons as the Board may
11 determine;

12 (6) To loan its funds to any agribusiness which operates
13 or will operate a facility located in Illinois for those
14 purposes permitted by rules and regulations issued pursuant
15 to the Internal Revenue Code of 1954, as amended, relating to
16 the use of moneys loaned from the proceeds from the issuance
17 of industrial development revenue bonds; such loans shall be
18 on terms and conditions, and for periods of time, and secured
19 or evidenced by mortgages, deeds of trust, notes, debentures,
20 bonds or other secured or unsecured evidences of indebtedness
21 of such agribusiness as the Board may require;

22 (7) To purchase, or to make commitments to purchase,
23 from lenders notes, debentures, bonds or other evidences of
24 indebtedness secured by mortgages, deeds of trust, or to the
25 security devices, or unsecured, as the Board may determine,
26 or portions thereof or participations therein, which notes,
27 bonds, or other evidences of indebtedness shall have been or
28 will be executed by the obligors thereon to obtain funds with
29 which to acquire, by purchase, construction, or otherwise,
30 reconstruct or improve Agricultural Facilities;

31 (8) To contract with lenders or others for the
32 origination of or the servicing of the loans made by the
33 Authority pursuant to paragraph (5) of this Section or
34 represented by the notes, bonds, or other evidences of

1 indebtedness which it has purchased pursuant to paragraph (6)
2 of this Section; provided that such servicing fees shall not
3 exceed one per cent per annum of the principal amount
4 outstanding owed to the Authority;

5 (9) To foreclose any mortgages, deeds of trust, notes,
6 debentures, bonds and other security interests held by it,
7 either by action or by exercise of a power of sale, and to
8 sell the equity of redemption in said security interests in
9 accordance with the terms of said instruments and applicable
10 state law, and to take all such other actions as may be
11 necessary to enforce any obligation held by it;

12 (10) To purchase the equity of redemption in any such
13 mortgage, deed of trust, note, debenture, bond or other
14 security;

15 (11) To receive and accept, from any source, aid or
16 contributions of money, property, labor or other items of
17 value for furtherance of any of its purposes, subject to any
18 conditions not inconsistent herewith or with the laws of this
19 State pertaining to such contributions, including, but
20 without limitation to, gifts, guarantees, or grants from any
21 department, agency or instrumentality of the United States of
22 America;

23 (12) To collect such fees and charges in connection with
24 its loans, advances, insurance, commitments, servicing and
25 other activities as it may determine;

26 (13) To sell at either public or private sale, with or
27 without public bidding, any notes, bonds, or other evidences
28 of indebtedness or other obligation held by the Authority;

29 (14) To procure such insurance, letters of credit and
30 guarantees as the Board may deem advisable, including, but
31 without limitation to, insurance or guarantees against any
32 loss in connection with any notes or obligations held by it,
33 and any of its property or assets, and for payment of any
34 Bonds or other obligations issued by the Authority, in such

1 amounts and from such public or private entities, as it may
2 deem advisable, and to pay premiums or other charges for any
3 such insurance or guarantees;

4 (15) To borrow money and to sell and issue its Bonds for
5 any corporate function, use or purpose authorized herein;

6 (16) To mortgage, pledge, assign or grant security
7 interests in any or all of its notes, bonds, or other
8 evidences of indebtedness or other instruments, contract
9 rights or other property, including, but without limitation
10 to, any receipts from insurance on or guarantees of any of
11 its notes or other instruments, as security for the payment
12 of the principal of and interest on any Bonds issued by the
13 Authority, or as security for any agreements made in
14 connection therewith, whether then owned or thereafter
15 acquired, and to pledge the revenues from which said Bonds
16 are payable as security for the payment of the principal of
17 and interest on said Bonds and any agreements made in
18 connection therewith;

19 (17) To execute and deliver, in accordance with the
20 provisions of this Section and Section 8 hereof, mortgages
21 and deeds of trust and trust indentures, or either;

22 (18) To appoint, employ, contract with, and provide for
23 the compensation of such officers, employees and agents,
24 including, but without limitation to, engineers, attorneys,
25 management consultants, fiscal advisers, and agricultural,
26 silvicultural and aquacultural experts, as the business of
27 the Authority may require; provided, however, that no Board
28 member or member of his or her firm, business, partnership or
29 corporation shall be employed or compensated by the
30 Authority; and provided further that the Executive Director
31 of the Authority, if there is one, shall be appointed by the
32 Governor without the advice and consent of the Senate;

33 (19) To invest any funds of the Authority that the Board
34 may determine are not presently needed for any of its

1 corporate purposes in such obligations as the Board may
2 determine;

3 (20) To enter into a management agreement or agreements
4 with a person for the management by said person for the
5 Authority of any of its properties upon such terms and
6 conditions as may be mutually agreeable;

7 (21) To sell, exchange, donate and convey any or all of
8 its properties whenever the Board shall find any such action
9 to be in furtherance of the purposes for which the Authority
10 was established;

11 (22) To make, enter into, and execute such contracts,
12 agreements, leases and other instruments with any person,
13 including without limitation, any federal, state or local
14 governmental agency, and to take such other actions as may be
15 necessary or convenient to accomplish any purpose for which
16 the Authority was organized or to exercise any power
17 expressly granted hereunder;

18 (23) To enter into a State Guarantee with a lender or a
19 person holding a note and to sell or issue such State
20 Guarantees, bonds or evidences of indebtedness in a primary
21 or a secondary market;

22 (24) To promulgate and adopt such necessary rules and
23 regulations as are consistent with this Act.

24 (Source: P.A. 84-1452.)

25 Section 20-3705. The Illinois Health Facilities
26 Authority Act is amended by changing Sections 3.01, 3.02,
27 3.04, and 3.06 as follows:

28 (20 ILCS 3705/3.01) (from Ch. 111 1/2, par. 1103.01)

29 Sec. 3.01. Authority; appointment.

30 (a) Until July 1, 2003 or when all of the new members to
31 be initially appointed under this amendatory Act of the 93rd
32 General Assembly have been appointed by the Governor,

1 whichever occurs later, the Authority shall consist of 7
2 members, appointed by the Governor, by and with the consent
3 of the Senate, who shall be residents of the State, not more
4 than 4 of whom shall be members of the same political party.

5 The term of each appointed member of the Authority who is
6 in office on June 30, 2003 shall terminate at the close of
7 business on that date or when all of the new members to be
8 initially appointed under this amendatory Act of the 93rd
9 General Assembly have been appointed by the Governor,
10 whichever occurs later.

11 (b) Beginning on July 1, 2003 or when all of the new
12 members to be initially appointed under this amendatory Act
13 of the 93rd General Assembly have been appointed by the
14 Governor, whichever occurs later, the Authority shall consist
15 of 5 members, appointed by the Governor by and with the
16 consent of the Senate, who shall be residents of the State,
17 not more than 3 of whom shall be members of the same
18 political party.

19 (c) The 5 members of the Authority first appointed
20 pursuant to this amendatory Act of the 93rd General Assembly
21 shall serve for terms expiring on June 30 in 2005, 2006,
22 2007, 2008, and 2009 ~~1972,-1973,-1974,-1975,-1976,-1977-and~~
23 ~~1978,~~ respectively, and until their respective successors
24 have been appointed and have qualified, the term of each such
25 member to be designated by the Governor. Upon the expiration
26 of the term of any member his successor shall be appointed
27 for a term of 7 years and until his successor has been
28 appointed and has qualified. The Governor shall fill any
29 vacancy for the remainder of the unexpired term.

30 (d) Any member of the Authority may be removed by the
31 Governor for misfeasance, malfeasance or wilful neglect of
32 duty or other cause after notice and a public hearing unless
33 such notice and hearing shall be expressly waived in writing.

34 (Source: P.A. 79-46.)

(20 ILCS 3705/3.02) (from Ch. 111 1/2, par. 1103.02)

Sec. 3.02. Chairman; executive directors.

(a) As soon as possible after the appointment of the initial members, the Authority shall organize for the transaction of business.

(b) The Governor shall appoint one of the members of the Authority to serve as chairman, who shall preside over meetings of the Authority. The Authority shall annually elect one of its members to serve as chairman-and-one-as vice-chairman.

(c) The Authority shall have an Executive Director, who shall be appointed by the Governor without the advice and consent of the Senate. The salary and duties of the Executive Director shall be fixed by the Authority.

The Authority ~~It~~ shall appoint an ~~executive-director--and~~ associate executive director, who shall not be a member ~~members~~ of the Authority, who shall serve at the pleasure of the Authority, and who.~~They~~ shall receive such compensation as shall be fixed by the Authority.

(Source: P.A. 77-2635.)

(20 ILCS 3705/3.04) (from Ch. 111 1/2, par. 1103.04)

Sec. 3.04. Quorum; meetings.

(a) If there is no vacancy on the Authority, 4 members of the Authority shall constitute a quorum to transact business; otherwise, a majority of the Authority shall constitute a quorum to transact business, and no vacancy shall impair the right of the remaining members to exercise all of the powers of the Authority. Every action approved by a majority of the members of the Authority shall be deemed to be the action of the Authority. ~~Four--members--of--the Authority--shall--constitute--a--quorum.--The--affirmative--vote--of--a--majority--of--all--the--members--of--the--Authority--shall--be necessary--for--any--action--taken--by--the--Authority.~~ A vacancy

1 in the membership of the Authority shall not impair the right
2 of a quorum to exercise all the rights and perform all the
3 duties of the Authority.

4 (b) Each meeting of the Authority shall be open to the
5 public. Notice of meetings, or waivers thereof, shall be as
6 provided in the by-laws of the Authority. Resolutions of the
7 Authority need not be published or posted. The Authority may
8 delegate by resolution to one or more of its members or its
9 executive director or associate executive director such
10 powers and duties as it may deem proper.

11 (Source: P.A. 79-46.)

12 (20 ILCS 3705/3.06) (from Ch. 111 1/2, par. 1103.06)

13 Sec. 3.06. Expenses. The members of the Authority shall
14 receive no compensation for the performance of their duties
15 as members but each such member shall be paid his necessary
16 expenses while engaged in the performance of such duties. A
17 member of the Board who experiences a significant financial
18 hardship due to the loss of income on days of attendance at
19 meetings or while otherwise engaged in the business of the
20 Board may be paid a hardship allowance, as determined by and
21 subject to the approval of the Governor's Travel Control
22 Board.

23 (Source: P.A. 77-2635.)

24 Section 20-3805. The Illinois Housing Development Act is
25 amended by changing Sections 4 and 6 as follows:

26 (20 ILCS 3805/4) (from Ch. 67 1/2, par. 304)

27 Sec. 4. Authority. There is hereby created a body
28 politic and corporate to be known as the Illinois Housing
29 Development Authority.

30 Until July 1, 2003 or when all of the new members to be
31 initially appointed under this amendatory Act of the 93rd

1 General Assembly have been appointed by the Governor,
 2 whichever occurs later, the Authority shall consist of 9
 3 members, including a senior citizen age 60 or older, of whom
 4 not more than three shall be from any one county in the State
 5 and of whom not more than 5 shall be of any one political
 6 party. The Governor shall appoint the members of the
 7 Authority by and with the advice and consent of the Senate.

8 The term of each appointed member of the Authority who is
 9 in office on June 30, 2003 shall terminate at the close of
 10 business on that date or when all of the new members to be
 11 initially appointed under this amendatory Act of the 93rd
 12 General Assembly have been appointed by the Governor,
 13 whichever occurs later.

14 Beginning on July 1, 2003 or when all of the new members
 15 to be initially appointed under this amendatory Act of the
 16 93rd General Assembly have been appointed by the Governor,
 17 whichever occurs later, the Authority shall consist of 7
 18 members appointed by the Governor with the advice and consent
 19 of the Senate, including a senior citizen age 60 or older.
 20 Not more than 2 members shall be from any one county in the
 21 State and not more than 4 shall be of any one political
 22 party.

23 Three members first appointed under this amendatory Act
 24 of the 93rd General Assembly shall hold office until the
 25 second Monday in January, 2005 ~~1971~~ and until their
 26 successors are appointed and qualified, and four members
 27 shall hold office until the second Monday in January, 2007
 28 ~~1973~~ and until their successors are appointed and qualified.
 29 ~~The members first appointed under this amendatory Act of 1984~~
 30 ~~shall serve for a term of 4 years, commencing with the second~~
 31 ~~Monday in January, 1985.~~ After the expiration of the terms
 32 of office of those first appointed, their respective
 33 successors shall hold office from the second Monday in
 34 January of the year of their respective appointments for a

1 term of four years and until their successors are appointed
2 and qualified.

3 In case of vacancies in such offices during the recess of
4 the Senate, the Governor shall make a temporary appointment
5 until the next meeting of the Senate when he shall nominate
6 some person to fill such office, and any person so nominated,
7 who is confirmed by the Senate, shall hold his office during
8 the remainder of the term and until his successor shall be
9 appointed and qualified. If the Senate is not in session at
10 the time this provision takes effect, the Governor shall make
11 a temporary appointment as in the case of a vacancy.

12 (Source: P.A. 83-1538.)

13 (20 ILCS 3805/6) (from Ch. 67 1/2, par. 306)

14 Sec. 6. Quorum; expenses. Four Five members of the
15 Authority shall constitute a quorum at any meeting of the
16 Authority and the affirmative vote of 4 of 5 members shall be
17 necessary for any action taken by the Authority at a meeting,
18 except that the Authority may act by unanimous written
19 consent if provided for in the by-laws of the Authority. No
20 vacancy in the membership of the Authority shall impair the
21 right of a quorum to exercise all the rights and perform all
22 the duties of the Authority.

23 The members of the Authority shall serve without
24 compensation, but each member shall be reimbursed for his
25 necessary expenses incurred in the discharge of his official
26 duties. A member of the Board who experiences a significant
27 financial hardship due to the loss of income on days of
28 attendance at meetings or while otherwise engaged in the
29 business of the Board may be paid a hardship allowance, as
30 determined by and subject to the approval of the Governor's
31 Travel Control Board.

32 (Source: P.A. 83-1538.)

1 Section 20-3915. The Arts Council Act is amended by
2 changing Sections 1 and 2 as follows:

3 (20 ILCS 3915/1) (from Ch. 127, par. 214.11)

4 Sec. 1. Council created. There is created the Illinois
5 Arts Council.

6 Until July 1, 2003 or when all of the new members to be
7 initially appointed under this amendatory Act of the 93rd
8 General Assembly have been appointed by the Governor,
9 whichever occurs later, the Illinois Arts Council shall be
10 composed of not less than 13 nor more than 35 members to be
11 appointed by the Governor, one of whom shall be a senior
12 citizen age 60 or over.

13 The term of each appointed member of the Council who is
14 in office on June 30, 2003 shall terminate at the close of
15 business on that date or when all of the new members to be
16 initially appointed under this amendatory Act of the 93rd
17 General Assembly have been appointed by the Governor,
18 whichever occurs later.

19 Beginning on July 1, 2003 or when all of the new members
20 to be initially appointed under this amendatory Act of the
21 93rd General Assembly have been appointed by the Governor,
22 whichever occurs later, the Illinois Arts Council shall be
23 composed of 21 members to be appointed by the Governor, one
24 of whom shall be a senior citizen age 60 or over.

25 In making initial appointments pursuant to this
26 amendatory Act of the 93rd General Assembly, the Governor
27 shall designate approximately one-half of the members to
28 serve for 2 years, and the balance of the members to serve
29 for 4 years, each term of office to end on eommence July 17
30 1965.--The-senior-citizen-member-first-appointed--under--this
31 amendatory--Act--of--1984--shall--serve-for-a-term-of-4-years
32 eommeneing-July-17-1985. Thereafter all appointments shall
33 be made for a 4 year term. The Governor shall designate the

1 Chairman of the Council from among the members thereof.

2 (Source: P.A. 83-1538.)

3 (20 ILCS 3915/2) (from Ch. 127, par. 214.12)

4 Sec. 2. Expenses. No member may receive compensation for
5 his services, but each member may be reimbursed for expenses
6 incurred in the performance of his duties. A member of the
7 Council who experiences a significant financial hardship due
8 to the loss of income on days of attendance at meetings or
9 while otherwise engaged in the business of the Council may be
10 paid a hardship allowance, as determined by and subject to
11 the approval of the Governor's Travel Control Board.

12 (Source: Laws 1965, p. 1965.)

13 Section 20-3918. The Illinois Building Commission Act is
14 amended by changing Sections 10 and 15 as follows:

15 (20 ILCS 3918/10)

16 Sec. 10. Creation. An advisory commission, to be known
17 as the Illinois Building Commission, is created. The
18 Commission shall consist of 11 members, including: a fire
19 official, a building official, an architect, a professional
20 engineer, a structural engineer, a commercial contractor
21 representative, a residential construction industry
22 representative, a mechanical and specialty contractor
23 representative, a labor representative, a disability
24 advocate, and a member of the public. The Commission shall
25 be appointed by the Governor, with the advice and consent of
26 the Senate.

27 Notwithstanding any other provision of this Section, the
28 term of each member of the Commission who was appointed by
29 the Governor and is in office on June 30, 2003 shall
30 terminate at the close of business on that date or when all
31 of the successor members to be appointed pursuant to this

1 amendatory Act of the 93rd General Assembly have been
2 appointed by the Governor, whichever occurs later. As soon
3 as possible, the Governor shall appoint persons to fill the
4 vacancies created by this amendatory Act.

5 (Source: P.A. 90-269, eff. 1-1-98.)

6 (20 ILCS 3918/15)

7 Sec. 15. Terms and reimbursement. The fire official,
8 architect, structural engineer, commercial contractor
9 representative, labor representative, and member of the
10 public shall serve initial terms of 2 years. The building
11 official, professional engineer, residential construction
12 industry representative, mechanical and specialty contractor
13 representative, and disability advocate shall serve initial
14 terms of 3 years. Each subsequent term shall be for 3 years.
15 Members may be appointed for more than one term.

16 The A chairman of the Commission shall be designated by
17 the Governor from among elected-each-year-by the members of
18 the Commission.

19 Commission members shall be reimbursed for their
20 necessary expenses incurred in the performance of their
21 duties. ~~travel-expenses-and-shall-receive-a-per-diem-for-each~~
22 ~~day-that-the-Commission-or-a-subcommittee-on-which-the-member~~
23 ~~serves-meets.~~ Travel reimbursement shall be consistent with
24 the rules of the Governor's Travel Control Board.

25 A member of the Commission who experiences a significant
26 financial hardship due to the loss of income on days of
27 attendance at meetings or while otherwise engaged in the
28 business of the Commission may be paid a hardship allowance,
29 as determined by and subject to the approval of the
30 Governor's Travel Control Board.

31 (Source: P.A. 90-269, eff. 1-1-98.)

32 Section 20-3930. The Illinois Criminal Justice

1 Information Act is amended by changing Sections 4, 5, and 6
2 as follows:

3 (20 ILCS 3930/4) (from Ch. 38, par. 210-4)

4 Sec. 4. Illinois Criminal Justice Information Authority;
5 creation, membership, and meetings. There is created an
6 Illinois Criminal Justice Information Authority ~~consisting of~~
7 ~~20 members.~~

8 Until July 1, 2003 or when all of the new members to be
9 initially appointed under this amendatory Act of the 93rd
10 General Assembly have been appointed by the Governor,
11 whichever occurs later, the membership of the Authority shall
12 consist of the Illinois Attorney General, or his or her
13 designee, the Director of the Illinois Department of
14 Corrections, the Director of the Illinois Department of State
15 Police, the Sheriff of Cook County, the State's Attorney of
16 Cook County, the Clerk of the Circuit Court of Cook County,
17 the Superintendent of the Chicago Police Department, the
18 Director of the Office of the State's Attorneys Appellate
19 Prosecutor, the Executive Director of the Illinois Law
20 Enforcement Training Standards Board, the State Appellate
21 Defender, and the following additional members, each of whom
22 shall be appointed by the Governor: a circuit court clerk, a
23 sheriff, and a State's Attorney of a county other than Cook,
24 a chief of police, and 6 members of the general public.

25 The term of each appointed member of the Authority who is
26 in office on June 30, 2003 shall terminate at the close of
27 business on that date or when all of the new members to be
28 initially appointed under this amendatory Act of the 93rd
29 General Assembly have been appointed by the Governor,
30 whichever occurs later.

31 Beginning on July 1, 2003 or when all of the new members
32 to be initially appointed under this amendatory Act of the
33 93rd General Assembly have been appointed by the Governor,

1 whichever occurs later, the membership of the Authority shall
2 consist of 10 ex officio members and 8 appointed members.

3 The following officers and officials shall serve ex
4 officio as members of the Authority: the Illinois Attorney
5 General, or his or her designee, the Director of the Illinois
6 Department of Corrections, the Director of the Illinois
7 Department of State Police, the Sheriff of Cook County, the
8 State's Attorney of Cook County, the Clerk of the Circuit
9 Court of Cook County, the Superintendent of the Chicago
10 Police Department, the Director of the Office of the State's
11 Attorneys Appellate Prosecutor, the Executive Director of the
12 Illinois Law Enforcement Training Standards Board, and the
13 State Appellate Defender.

14 The following 8 members shall be appointed by the
15 Governor: a circuit court clerk, a sheriff, a State's
16 Attorney of a county other than Cook, a Public Defender of a
17 county other than Cook, a chief of police, and 3 members of
18 the general public.

19 The Governor from time to time shall designate a Chairman
20 of the Authority from the membership.

21 Of the appointed members of the Authority who are
22 initially appointed pursuant to this amendatory Act of the
23 93rd General Assembly, 4 shall be appointed for terms ending
24 on the third Monday in January, 2005, and 4 shall be
25 appointed for terms ending on the third Monday in January,
26 2007, and until their successors are appointed and qualified.
27 Thereafter, all members of the Authority appointed by the
28 Governor shall serve at the pleasure of the Governor for a
29 term not to exceed 4 years. ~~The initial appointed members of~~
30 ~~the Authority shall serve from January 7, 1983 until the third~~
31 ~~Monday in January 7, 1987 or until their successors are~~
32 ~~appointed.~~

33 The Authority shall meet at least quarterly, and all
34 meetings of the Authority shall be called by the Chairman.

1 (Source: P.A. 91-483, eff. 1-1-00; 91-798, eff. 7-9-00;
2 92-21, eff. 7-1-01.)

3 (20 ILCS 3930/5) (from Ch. 38, par. 210-5)

4 Sec. 5. No Compensation - Expenses. Members of the
5 Authority, ~~other than the Chairman,~~ shall serve without
6 compensation. All members shall be reimbursed for reasonable
7 expenses incurred in connection with their duties. A member
8 of the Board who experiences a significant financial hardship
9 due to the loss of income on days of attendance at meetings
10 or while otherwise engaged in the business of the Board may
11 be paid a hardship allowance, as determined by and subject to
12 the approval of the Governor's Travel Control Board.

13 (Source: P.A. 82-1039.)

14 (20 ILCS 3930/6) (from Ch. 38, par. 210-6)

15 Sec. 6. Executive Director. The Governor shall appoint
16 an Executive Director of the Authority with the advice and
17 consent of the Senate. The Executive Director shall employ,
18 in accordance with the provisions of the Illinois Personnel
19 Code, such administrative, professional, clerical, and other
20 personnel as may be required. The Executive Director may
21 organize the staff of the Authority as he may deem
22 appropriate.

23 The term of the Executive Director of the Authority who
24 is serving on June 30, 2003 shall terminate at the close of
25 business on that date or upon the appointment of a successor
26 Executive Director by the Governor, whichever occurs later.

27 (Source: P.A. 82-1039.)

28 Section 20-3955. The Guardianship and Advocacy Act is
29 amended by changing Sections 4 and 5 as follows:

30 (20 ILCS 3955/4) (from Ch. 91 1/2, par. 704)

1 Sec. 4. Commission; chairman; quorum; expenses.

2 (a) Until July 1, 2003 or when all of the new members to
3 be initially appointed under this amendatory Act of the 93rd
4 General Assembly have been appointed by the Governor,
5 whichever occurs later, the Commission shall consist of 11
6 members, one of whom shall be a senior citizen age 60 or
7 over, who shall be appointed by the Governor, taking into
8 account the requirements of State and federal statutes, with
9 the advice and consent of the Senate.

10 The term of each appointed member of the Commission who
11 is in office on June 30, 2003 shall terminate at the close of
12 business on that date or when all of the new members to be
13 initially appointed under this amendatory Act of the 93rd
14 General Assembly have been appointed by the Governor,
15 whichever occurs later.

16 Beginning on July 1, 2003 or when all of the new members
17 to be initially appointed under this amendatory Act of the
18 93rd General Assembly have been appointed by the Governor,
19 whichever occurs later, the Commission shall consist of 7
20 members appointed by the Governor with the advice and consent
21 of the Senate, taking into account the requirements of State
22 and federal statutes. One member shall be a senior citizen
23 age 60 or over.

24 All appointments shall be filed with the Secretary of
25 State by the appointing authority.

26 (b) Of the terms--of--the original members appointed
27 pursuant to this amendatory Act of the 93rd General Assembly,
28 2 shall be appointed for terms ending on June 30, 2004, 2
29 shall be appointed for terms ending on June 30, 2005, and 3
30 shall be appointed for terms ending on June 30, 2006, with
31 shall-be-3-one-year-terms, 3-two-year-terms, and 3-three-year
32 terms, all terms to continue until a successor is appointed
33 and qualified. The--length--of--the--terms--of--the--original
34 members--shall--be--drawn--by--lot--of--the--first--meeting--held--by

1 the--Commission.---The--members--first--appointed--under--this
2 amendatory--Act--of--1984--shall--serve--for--a--term--of--3--years.
3 Thereafter all terms shall be for 3 years, with each member
4 serving no more than 2 consecutive terms.

5 Vacancies in the membership are to be filled in the same
6 manner as original appointments. Appointments to fill
7 vacancies occurring before the expiration of a term are for
8 the remainder of the unexpired term. A member of the
9 Commission shall serve for a term ending on June 30 and until
10 his successor is appointed and qualified.

11 (c) The Governor shall appoint one of the members of the
12 Commission to serve as chairman. The Commission shall
13 annually elect a--Chairman--and any other officers it deems
14 necessary.

15 The Commission shall meet at least once every 3 months
16 with the times and places of meetings determined by the
17 Chairman. Additional meetings may be called by the Chairman
18 upon written notice 7 days before the meeting or by written
19 petition of 5 members to the Chairman. Four ~~Six~~ members of
20 the Commission constitute a quorum.

21 (d) Members of the Commission are not entitled to
22 compensation but shall receive reimbursement for actual
23 expenses incurred in the performance of their duties. A
24 member of the Commission who experiences a significant
25 financial hardship due to the loss of income on days of
26 attendance at meetings or while otherwise engaged in the
27 business of the Commission may be paid a hardship allowance,
28 as determined by and subject to the approval of the
29 Governor's Travel Control Board.

30 (Source: P.A. 83-1538.)

31 (20 ILCS 3955/5) (from Ch. 91 1/2, par. 705)

32 Sec. 5. (a) The Commission shall establish throughout
33 the State such regions as it considers appropriate to

1 effectuate the purposes of the Authority under this Act,
2 taking into account the requirements of State and federal
3 statutes; population; civic, health and social service
4 boundaries; and other pertinent factors.

5 (b) The Commission shall act through its divisions as
6 provided in this Act.

7 (c) The Commission shall establish general policy
8 guidelines for the operation of the Legal Advocacy Service,
9 Authority and State Guardian in furtherance of this Act. Any
10 action taken by a regional authority is subject to the review
11 and approval of the Commission. The Commission may
12 disapprove any action of a regional authority, in which case
13 the regional authority shall cease such action.

14 (d) The Commission shall have a Director, who shall be
15 appointed by the Governor without the advice and consent of
16 the Senate. The salary and duties of the Director shall be
17 fixed by the Commission. The Commission shall hire a
18 ~~Director~~--and staff to carry out the powers and duties of the
19 Commission and its divisions pursuant to this Act and the
20 rules and regulations promulgated by the Commission. All
21 staff other than the Director shall be subject to the
22 Personnel Code.

23 (e) The Commission shall review and evaluate the
24 operations of the divisions.

25 (f) The Commission shall operate subject to the
26 provisions of The Illinois Purchasing Act.

27 (g) The Commission shall prepare its budget.

28 (h) The Commission shall prepare an annual report on its
29 operations and submit the report to the Governor and the
30 General Assembly.

31 The requirement for reporting to the General Assembly
32 shall be satisfied by filing copies of the report with the
33 Speaker, the Minority Leader and the Clerk of the House of
34 Representatives and the President, the Minority Leader and

1 the Secretary of the Senate and the Legislative Research
2 Unit, as required by Section 3.1 of "An Act to revise the law
3 in relation to the General Assembly", approved February 25,
4 1874, and filing such additional copies with the State
5 Government Report Distribution Center for the General
6 Assembly as is required under paragraph (t) of Section 7 of
7 the State Library Act.

8 (i) The Commission shall establish rules and regulations
9 for the conduct of the work of its divisions, including rules
10 and regulations for the Legal Advocacy Service and the State
11 Guardian in evaluating an eligible person's or ward's
12 financial resources for the purpose of determining whether
13 the eligible person or ward has the ability to pay for legal
14 or guardianship services received. The determination of the
15 eligible person's financial ability to pay for legal services
16 shall be based upon the number of dependents in the eligible
17 person's family unit and the income, liquid assets and
18 necessary expenses, as prescribed by rule of the Commission
19 of: (1) the eligible person; (2) the eligible person's
20 spouse; and (3) the parents of minor eligible persons. The
21 determination of a ward's ability to pay for guardianship
22 services shall be based upon the ward's estate. An eligible
23 person or ward found to have sufficient financial resources
24 shall be required to pay the Commission in accordance with
25 standards established by the Commission. No fees may be
26 charged for legal services given unless the eligible person
27 is given notice at the start of such services that such fees
28 might be charged. No fees may be charged for guardianship
29 services given unless the ward is given notice of the request
30 for fees filed with the probate court and the court approves
31 the amount of fees to be assessed. All fees collected shall
32 be deposited with the State Treasurer and placed in the
33 Guardianship and Advocacy Fund. The Commission shall
34 establish rules and regulations regarding the procedures of

1 appeal for clients prior to termination or suspension of
2 legal services. Such rules and regulations shall include,
3 but not be limited to, client notification procedures prior
4 to the actual termination, the scope of issues subject to
5 appeal, and procedures specifying when a final administrative
6 decision is made.

7 (j) The Commission shall take such actions as it deems
8 necessary and appropriate to receive private, federal and
9 other public funds to help support the divisions and to
10 safeguard the rights of eligible persons. Private funds and
11 property may be accepted, held, maintained, administered and
12 disposed of by the Commission, as trustee, for such purposes
13 for the benefit of the People of the State of Illinois
14 pursuant to the terms of the instrument granting the funds or
15 property to the Commission.

16 (k) The Commission may expend funds under the State's
17 plan to protect and advocate the rights of persons with a
18 developmental disability established under the federal
19 Developmental Disabilities Services and Facilities
20 Construction Act (Public Law 94-103, Title II). If the
21 Governor designates the Commission to be the organization or
22 agency to provide the services called for in the State plan,
23 the Commission shall make these protection and advocacy
24 services available to persons with a developmental disability
25 by referral or by contracting for these services to the
26 extent practicable. If the Commission is unable to so make
27 available such protection and advocacy services, it shall
28 provide them through persons in its own employ.

29 (l) The Commission shall, to the extent funds are
30 available, monitor issues concerning the rights of eligible
31 persons and the care and treatment provided to those persons,
32 including but not limited to the incidence of abuse or
33 neglect of eligible persons. For purposes of that monitoring
34 the Commission shall have access to reports of suspected

1 abuse or neglect and information regarding the disposition of
2 such reports, subject to the provisions of the Mental Health
3 and Developmental Disabilities Confidentiality Act.

4 (Source: P.A. 88-380.)

5 Section 20-3960. The Illinois Health Facilities Planning
6 Act is amended by changing Section 19.6 as follows:

7 (20 ILCS 3960/19.6)

8 (Section scheduled to be repealed on July 1, 2003)

9 Sec. 19.6. Repeal. The Health Facilities Planning Board
10 is abolished and this Act is repealed on July 1, 2003.

11 (Source: P.A. 91-782, eff. 6-9-00.)

12 Section 20-4010. The Illinois Council on Developmental
13 Disabilities Law is amended by changing Sections 2003, 2004,
14 2004.5, and 2005 as follows:

15 (20 ILCS 4010/2003) (from Ch. 91 1/2, par. 1953)

16 Sec. 2003. Council. The Illinois Council on
17 Developmental Disabilities is hereby created as an executive
18 agency of State government. The Council shall be composed of
19 29 members appointed as provided in Section 2004.5, governed
20 by a chairperson, and headed by a director.

21 The functions of the Council shall be as prescribed in
22 Chapter 75 of Title 42 of the United States Code (42 U.S.C.
23 6000, et seq.), as now or hereafter amended, and in Section
24 2006 of this Article.

25 The Council shall receive and disburse funds authorized
26 under Chapter 75 of Title 42 of the United States Code (42
27 U.S.C. 6000, et seq.), as now or hereafter amended.

28 (Source: P.A. 91-798, eff. 7-9-00.)

29 (20 ILCS 4010/2004) (from Ch. 91 1/2, par. 1954)

1 Sec. 2004. Council membership. Council membership shall
2 be as provided in Section 2004.5.

3 (a) -- The council shall be composed of 38 voting members,
4 27 of whom shall be appointed by the Governor from residents
5 of the State so as to ensure that the membership reasonably
6 represents consumers of services to persons with
7 developmental disabilities.

8 (b) -- Eleven voting members shall be the Directors of
9 Public Aid, Public Health, Aging, Children and Family
10 Services, the Guardianship and Advocacy Commission, the State
11 protection and advocacy agency, the State Board of Education,
12 the Division of Specialized Care for Children of the
13 University of Illinois, and the State University Affiliated
14 Program, or their designees, plus the Secretary of Human
15 Services (or his or her designee) and one additional
16 representative of the Department of Human Services designated
17 by the Secretary.

18 (c) -- Nineteen voting members shall be persons with
19 developmental disabilities, parents or guardians of such
20 persons, or immediate relatives or guardians of persons with
21 mentally impairing developmental disabilities. None of these
22 members shall be employees of a State agency which receives
23 funds or provides services under the federal Developmental
24 Disabilities Assistance and Bill of Rights Act Amendments of
25 1987, managing employees of any other entity which services
26 funds or provides services under the federal Developmental
27 Disabilities Assistance and Bill of Rights Act Amendments of
28 1987, or persons with an ownership or control interest in
29 such an entity. Of these members:

30 (1) -- At least 6 shall be persons with developmental
31 disabilities and at least 6 shall be immediate relatives
32 or guardians of persons with mentally impairing
33 developmental disabilities; and

34 (2) -- One member shall be an immediate relative or

guardian---of---an---institutionalized---or---previously
institutionalized-person-with-a-developmental-disability.

(d)--Eight--voting--members--shall--be--representatives--of
local-agencies, nongovernmental-agencies-and-groups-concerned
with-services-to-persons-with-developmental-disabilities.

(e)--The-Governor--shall--consider--nominations--made--by
advocacy-and-community-based-organizations.

(f)--Of--the-initial-members-appointed-by-the-Governor, 8
shall-be--appointed--for--terms--of--one--year, 9--shall--be
appointed--for--terms--of--2--years, and 9--shall--be--appointed--for
terms--of--3--years. Thereafter, all-members-shall-be--appointed
for--terms--of--3--years. No--member-shall-serve-more-than-2
successive-terms.

(g)--Individual-terms-of-office-shall-be-chosen-by-lot-at
the-initial-meeting-of-the-council.

(h)--Vacancies-in-the-membership-shall-be-filled--in--the
same--manner--as--initial--appointments. Appointments-to-fill
vacancies-occurring-before-the-expiration-of-a-term-shall--be
for-the-remainder-of-the-unexpired-term.

(i)--Members--shall--not--receive--compensation-for-their
services, but-shall-be-reimbursed-for-their--actual--expenses
plus--up--to--\$50-a-day-for-any-loss-of-wages-incurred-in-the
performance-of-their-duties.

(j)--Total-membership-consists-of-the--number--of--voting
members,--as--defined--in--this-Section, excluding-any-vacant
positions.--A-quorum-shall-consist-of-a--simple--majority--of
total--membership--and--shall-be-sufficient-to-constitute-the
transaction-of-business--of--the--council--unless--stipulated
otherwise-in-the-bylaws-of-the-council.

(k)--The-council-shall-meet-at-least-quarterly.

(l)--The--Director-of-the-Bureau-of-the-Budget, or-his-or
her-designee, shall--serve--as--a--nonvoting--member--of--the
council.

(Source: P.A. 89-507, eff. 7-1-97.)

1 (20 ILCS 4010/2004.5)

2 Sec. 2004.5. Council membership. The General Assembly
3 intends that the reduction in the membership of the Council
4 shall occur through attrition between the effective date of
5 this amendatory Act of the 91st General Assembly and January
6 1, 2001. In the event that the terms of 10 voting members
7 have not expired by January 1, 2001, members of the Council
8 serving on that date shall continue to serve until their
9 terms expire.

10 (a) The membership of the Council must reasonably
11 represent the diversity of this State. Not less than 60% of
12 the Council's membership must be individuals with
13 developmental disabilities, parents or guardians of children
14 with developmental disabilities, or immediate relatives or
15 guardians of adults with developmental disabilities who
16 cannot advocate for themselves.

17 The Council must also include representatives of State
18 agencies that administer moneys under federal laws that
19 relate to individuals with developmental disabilities; the
20 State University Center for Excellence in Developmental
21 Disabilities Education, Research, and Service; the State
22 protection and advocacy system; and representatives of local
23 and non-governmental agencies and private non-profit groups
24 concerned with services for individuals with developmental
25 disabilities. The members described in this paragraph must
26 have sufficient authority to engage in policy-making,
27 planning, and implementation on behalf of the department,
28 agency, or program that they represent. Those members may
29 not take part in any discussion of grants or contracts for
30 which their departments, agencies, or programs are grantees,
31 contractors, or applicants and must comply with any other
32 relevant conflict of interest provisions in the Council's
33 policies or bylaws.

34 (b) Seventeen voting members, appointed by the Governor,

1 must be persons with developmental disabilities, parents or
2 guardians of persons with developmental disabilities, or
3 immediate relatives or guardians of persons with
4 mentally-impairing developmental disabilities. None of these
5 members may be employees of a State agency that receives
6 funds or provides services under the federal Developmental
7 Disabilities Assistance and Bill of Rights Act of 1996 (42
8 U.S.C. 6000 et seq.), as now or hereafter amended, managing
9 employees of any other entity that receives moneys or
10 provides services under the federal Developmental
11 Disabilities Assistance and Bill of Rights Act of 1996 (42
12 U.S.C. 6000 et seq.), as now or hereafter amended, or persons
13 with an ownership interest in or a controlling interest in
14 such an entity. Of the members appointed under this
15 subsection (b):

16 (1) at least 6 must be persons with developmental
17 disabilities;

18 (2) at least 6 must be parents, immediate
19 relatives, or guardians of children and adults with
20 developmental disabilities, including individuals with
21 mentally-impairing developmental disabilities who cannot
22 advocate for themselves; and

23 (3) 5 members must be a combination of persons
24 described in paragraphs (1) and (2); at least one of whom
25 must be (i) an immediate relative or guardian of an
26 individual with a developmental disability who resides or
27 who previously resided in an institution or (ii) an
28 individual with a developmental disability who resides or
29 who previously resided in an institution.

30 (c) Two voting members, appointed by the Governor, must
31 be representatives of local and non-governmental agencies and
32 private non-profit groups concerned with services for
33 individuals with developmental disabilities.

34 (d) Nine voting members shall be the Director of Public

1 Aid, or his or her designee; the Director of Aging, or his or
2 her designee; the Director of Children and Family Services,
3 or his or her designee; a representative of the State Board
4 of Education; a representative of the State protection and
5 advocacy system; a representative of the State University
6 Center for Excellence in Developmental Disabilities
7 Education, Research, and Service; 2 representatives of the
8 Office of Developmental Disabilities and the Office of
9 Community Health and Prevention of the Department of Human
10 Services (as the State's lead agency for Title V of the
11 Social Security Act, 42 U.S.C. 701 et seq.) designated by the
12 Secretary of Human Services; and a representative of the
13 State entity that administers federal moneys under the
14 federal Rehabilitation Act.

15 (e) The Director of the Bureau of the Budget, or his or
16 her designee, shall be a non-voting member of the Council.

17 (f) The Governor must provide for the timely rotation of
18 members.

19 Appointments to the Council shall be for terms of 3
20 years. Appointments to fill vacancies occurring before the
21 expiration of a term shall be for the remainder of the term.
22 Members shall serve until their successors are appointed.

23 The Council, at the discretion of the Governor, may
24 coordinate and provide recommendations for new members to the
25 Governor based upon their review of the Council's composition
26 and on input received from other organizations and
27 individuals representing persons with developmental
28 disabilities, including the non-State agency members of the
29 Council. The Council must, at least once each year, advise
30 the Governor on the Council's membership requirements and
31 vacancies, including rotation requirements.

32 No member may serve for more than 2 successive terms.

33 (g) Members may not receive compensation for their
34 services, but shall be reimbursed for their reasonable

1 expenses plus--up--to--\$50--per--day--for--any--loss--of--wages
 2 incurred in the performance of their duties. A member of the
 3 Board who experiences a significant financial hardship due to
 4 the loss of income on days of attendance at meetings or while
 5 otherwise engaged in the business of the Council may be paid
 6 a hardship allowance, as determined by and subject to the
 7 approval of the Governor's Travel Control Board.

8 (h) The total membership of the Council consists of the
 9 number of voting members, as defined in this Section,
 10 excluding any vacant positions. A quorum is a simple
 11 majority of the total membership and is sufficient to
 12 constitute the transaction of the business of the Council
 13 unless otherwise stipulated in the bylaws of the Council.

14 (i) The Council must meet at least quarterly.

15 (Source: P.A. 91-798, eff. 7-9-00.)

16 (20 ILCS 4010/2005) (from Ch. 91 1/2, par. 1955)

17 Sec. 2005. Chairperson; director. The chairperson of
 18 the council shall be appointed by the Governor to serve at
 19 the pleasure of the Governor. The director of the council
 20 shall be appointed by the Governor to serve at the pleasure
 21 of the Governor, and shall be hired₇ supervised₇--evaluated₇
 22 and-terminated by the council.

23 (Source: P.A. 86-1190; 87-1158.)

24 Section 30-105. The State Finance Act is amended by
 25 changing Sections 6z-50 and 12-1 as follows:

26 (30 ILCS 105/6z-50)

27 Sec. 6z-50. Brain Injury and Spinal Cord Injury Trust
 28 Fund. The Brain Injury and Spinal Cord Injury Trust Fund is
 29 created as a special fund in the State treasury. Subject to
 30 appropriations, the Department of Human Services shall use
 31 moneys in the Fund to fund community-based rehabilitation

1 services programs in accordance with priorities and criteria
2 established by the Brain and Advisory-Council-on Spinal Cord
3 Injury Advisory Council and-Head-Injuries.

4 (Source: P.A. 91-737, eff. 6-2-00.)

5 (30 ILCS 105/12-1) (from Ch. 127, par. 148-1)

6 Sec. 12-1. Travel control boards.

7 (a) The following travel control boards are created with
8 the members and jurisdiction set forth below:

9 (1) A Travel Control Board is created within the
10 Office of the Attorney General consisting of the Attorney
11 General as chairman and 2 members of his supervisory
12 staff appointed by him. The board shall have
13 jurisdiction over travel by employees of the office.

14 (2) A Travel Control Board is created within the
15 Office of the State Comptroller consisting of the
16 Comptroller as chairman and 2 members of his supervisory
17 staff appointed by him. The board shall have
18 jurisdiction over travel by employees of the office.

19 (3) The Higher Education Travel Control Board shall
20 consist of 11 members, one to be appointed by each of the
21 following: the Board of Trustees of the University of
22 Illinois, the Board of Trustees of Southern Illinois
23 University, the Board of Trustees of Chicago State
24 University, the Board of Trustees of Eastern Illinois
25 University, the Board of Trustees of Governors State
26 University, the Board of Trustees of Illinois State
27 University, the Board of Trustees of Northeastern
28 Illinois University, the Board of Trustees of Northern
29 Illinois University, the Board of Trustees of Western
30 Illinois University, the Illinois Community College Board
31 and the Illinois Board of Higher Education. Each member
32 shall be an officer, member or employee of the board
33 making the appointment, or of an institution governed or

1 maintained by such board. The board shall have
2 jurisdiction over travel by the Board of Higher
3 Education, the Board of Trustees of the University of
4 Illinois, the Board of Trustees of Southern Illinois
5 University, the Board of Trustees of Chicago State
6 University, the Board of Trustees of Eastern Illinois
7 University, the Board of Trustees of Governors State
8 University, the Board of Trustees of Illinois State
9 University, the Board of Trustees of Northeastern
10 Illinois University, the Board of Trustees of Northern
11 Illinois University, the Board of Trustees of Western
12 Illinois University, the Illinois Community College
13 Board, the State Community College of East St. Louis, the
14 Illinois State Scholarship Commission, the State
15 Universities Retirement System, the University Civil
16 Service Merit Board, the Board of Trustees of the
17 Illinois Mathematics and Science Academy and all
18 employees of the named Boards, Commission and System and
19 of the institutions governed or maintained by the named
20 Boards. The Higher Education Travel Control Board shall
21 select a chairman from among its members.

22 (4) The Legislative Travel Control Board shall
23 consist of the following members serving ex-officio: The
24 Auditor General as chairman, the President and the
25 Minority Leader of the Senate and the Speaker and the
26 Minority Leader of the House of Representatives. The
27 board shall have jurisdiction over travel by employees
28 of: the General Assembly, legislative boards and
29 commissions, the Office of the Auditor General and all
30 legislative agencies.

31 (5) A Travel Control Board is created within the
32 Office of the Lieutenant Governor consisting of the
33 Lieutenant Governor as chairman and 2 members of his
34 supervisory staff appointed by him. The board shall have

1 jurisdiction over travel by employees of the office. The
2 Travel Control Board within the office of the Lieutenant
3 Governor is subject to the provisions of Section 405-500
4 of the Department of Central Management Services Law (20
5 ILCS 405/405-500).

6 (6) A Travel Control Board is created within the
7 Office of the Secretary of State consisting of the
8 Secretary of State as chairman, and 2 members of his
9 supervisory staff appointed by him. The board shall have
10 jurisdiction over travel by employees of the office.

11 (7) A Travel Control Board is created within the
12 Judicial Branch consisting of a chairman and 2 members
13 appointed by the Supreme Court. The board shall have
14 jurisdiction over travel by personnel of the Judicial
15 Branch, except the circuit courts and the judges.

16 (8) A Travel Control Board is created under the
17 State Board of Education, consisting of the State
18 Superintendent of Education as chairman, and 2 members of
19 his supervisory staff appointed by the State Board of
20 Education. The Board shall have jurisdiction over travel
21 by employees of the State Board of Education.

22 (9) A Travel Control Board is created within the
23 Office of the State Treasurer, consisting of the State
24 Treasurer as chairman and 2 members of his supervisory
25 staff appointed by him. The board shall have
26 jurisdiction over travel by employees of the office.

27 (10) A Governor's Travel Control Board is created
28 consisting of the Governor ex-officio as chairman, and 2
29 members appointed by the Governor. The board shall have
30 jurisdiction over travel by employees and officers of all
31 State agencies as defined in the Illinois State Auditing
32 Act, except for the following: judges, members of the
33 General Assembly, elected constitutional officers of the
34 State, the Auditor General, and personnel under the

1 jurisdiction of another travel control board created by
2 statute.

3 (a-5) The Commissioner of Banks and Real Estate, the
4 Prisoner Review Board, and the State Fire Marshal shall
5 submit to the Governor's Travel Control Board the quarterly
6 reports required by regulation pertaining to their employees
7 reimbursed for housing.

8 (b) Each travel control board created by this Section
9 shall meet at the call of the chairman at least quarterly to
10 review all vouchers, or a report thereof, for travel
11 reimbursements involving an exception to the State Travel
12 Regulations and Rates. Each travel control board shall
13 prescribe the procedures for submission of an information
14 copy of vouchers involving an exception to the general
15 provisions established by the State Travel Regulations and
16 Reimbursement Rates.

17 (c) Any chairman or member of a travel control board
18 may, with the consent of the respective appointing official,
19 designate a deputy to serve in his place at any or all
20 meetings of the board. The designation shall be in writing
21 and directed to the chairman of the board.

22 (d) No member of a travel control board may receive
23 additional compensation for his service as a member.

24 (e) A report of the travel reimbursement claims reviewed
25 by each travel control board shall be submitted to the
26 Legislative Audit Commission at least once each quarter and
27 that Commission shall comment on all such reports in its
28 annual reports to the General Assembly.

29 (f) In addition to its other duties, the Governor's
30 Travel Control Board shall have jurisdiction over all claims
31 for hardship allowances authorized by law for members of
32 boards and commissions who experience a significant financial
33 hardship due to the loss of income on days of attendance at
34 meetings or while otherwise engaged in the business of the

1 board or commission. The Governor's Travel Control Board
2 shall (i) consider and approve or reject each claim, (ii)
3 adopt procedures for handling such claims, and (iii) adopt
4 rules governing the determination of appropriate
5 circumstances and claim amounts.

6 (Source: P.A. 90-609, eff. 6-30-98; 91-239, eff. 1-1-00.)

7 Section 30-360. The Rural Bond Bank Act is amended by
8 changing Sections 2-2 and 2-3 as follows:

9 (30 ILCS 360/2-2) (from Ch. 17, par. 7202-2)

10 Sec. 2-2. Bank membership.

11 (a) Until July 1, 2003 or when all of the new members to
12 be initially appointed under this amendatory Act of the 93rd
13 General Assembly have been appointed by the Governor,
14 whichever occurs later, the Bank shall consist of a board of
15 9 commissioners, as follows:

16 (1) The Lieutenant Governor, who shall serve as
17 chairman;

18 (2) The State Treasurer, who shall serve as vice
19 chairman; and

20 (3) Seven public commissioners, who shall be
21 residents of the State, appointed by the Governor for
22 terms of 3 years. At least 3 of those 7 public
23 commissioners shall be affiliated with a political party
24 other than the one with which the Governor is affiliated.
25 The term of each appointed member of the Board who is in
26 office on June 30, 2003 shall terminate at the close of
27 business on that date or when all of the new members to be
28 initially appointed under this amendatory Act of the 93rd
29 General Assembly have been appointed by the Governor,
30 whichever occurs later.

31 (a-5) Beginning on July 1, 2003 or when all of the new
32 members to be initially appointed under this amendatory Act

1 of the 93rd General Assembly have been appointed by the
2 Governor, whichever occurs later, the Bank shall consist of a
3 board of 7 commissioners, as follows:

4 (1) The Lieutenant Governor, who shall serve as
5 chairman;

6 (2) The State Treasurer, who shall serve as vice
7 chairman; and

8 (3) Five public commissioners, who shall be
9 residents of the State, appointed by the Governor for
10 terms of 3 years. No more than 3 of those public
11 commissioners may be affiliated with the same political
12 party.

13 (a-10) Before entering upon their duties, all
14 commissioners shall take and subscribe to an oath to perform
15 the duties of office faithfully, impartially and justly to
16 the best of their abilities. A record of these oaths shall
17 be filed in the office of the Secretary of State.

18 (b) Each public commissioner shall hold office for the
19 term of appointment and until a successor has been appointed
20 and qualified. A public commissioner may be reappointed.
21 Any vacancy occurring other than by the expiration of a term
22 shall be filled by appointment for the unexpired term. The
23 Governor may remove a public commissioner from office for
24 cause after a public hearing. The Governor may suspend a
25 commissioner pending the completion of this hearing.

26 (c) The Governor ~~commissioners~~ shall appoint an
27 executive director, who shall also serve as both secretary
28 and treasurer. The board of commissioners shall fix the
29 duties of the executive director. The powers of the Bank are
30 vested in the commissioners of the Bank in office from time
31 to time. The Lieutenant Governor and the State Treasurer
32 each may designate a representative to attend meetings of the
33 commissioners and to cast those officers' votes in their
34 absence.

1 Four Five commissioners of the Bank constitute a quorum
2 at any meeting of the board of commissioners.
3 Representatives of the Lieutenant Governor and State
4 Treasurer who attend commissioner meetings and cast those
5 officers' votes shall count towards a quorum. A commissioner
6 may participate in a meeting by telephone rather than in
7 person if the commissioner is unable, due to illness,
8 weather, or other circumstances beyond his or her control, to
9 attend the meeting in person and if the commissioner's
10 participation is not necessary to establish a quorum. Action
11 may be taken and motions and resolutions adopted by the Bank
12 at any meeting by the affirmative vote of at least 5
13 commissioners. A vacancy in the office of commissioner does
14 not impair the right of a quorum of the commissioners to
15 exercise all the powers and perform all the duties of the
16 Bank.

17 (d) Before issuing any bonds or notes under this Act,
18 each public commissioner shall execute a surety bond in the
19 penal sum of \$25,000, and the executive director of the Bank
20 shall execute a surety bond in the penal sum of \$50,000. The
21 surety bonds shall be:

22 (1) Conditioned upon faithful performance of the
23 duties of the office of the commissioner or executive
24 director;

25 (2) Executed by a surety company authorized to
26 transact business in the State as surety;

27 (3) Approved by the Attorney General; and

28 (4) Filed in the office of the Secretary of State.

29 At all times after the Bank issues any bonds or notes,
30 each commissioner and the executive director shall maintain
31 the surety bonds in full force and effect. The Bank shall
32 bear all the costs of these surety bonds.

33 (Source: P.A. 88-471; 89-211, eff. 8-3-95.)

1 (30 ILCS 360/2-3) (from Ch. 17, par. 7202-3)

2 Sec. 2-3. Compensation. Each public commissioner shall
3 be reimbursed for his actual expenses incurred in traveling
4 to and from meetings of the board. All commissioners shall
5 be reimbursed for their reasonable expenses incurred in
6 carrying out their duties under this Act. A commissioner who
7 experiences a significant financial hardship due to the loss
8 of income on days of attendance at meetings or while
9 otherwise engaged in the business of the board may be paid a
10 hardship allowance, as determined by and subject to the
11 approval of the Governor's Travel Control Board.

12 Notwithstanding any other law, no officer or employee of
13 the State may be deemed to have forfeited or may forfeit
14 their office or employment or any benefits or emoluments of
15 their office or employment due to accepting the office of
16 commissioner of the Bank or performing services in that
17 office.

18 The board of commissioners shall fix the compensation of
19 the executive director.

20 (Source: P.A. 86-927.)

21 Section 30-500. The Illinois Procurement Code is amended
22 by changing Section 5-5 as follows:

23 (30 ILCS 500/5-5)

24 Sec. 5-5. Procurement Policy Board.

25 (a) Creation. There is created a Procurement Policy
26 Board.

27 (b) Authority and duties. The Board shall have the
28 authority and responsibility to review, comment upon, and
29 recommend, consistent with this Code, rules and practices
30 governing the procurement, management, control, and disposal
31 of supplies, services, professional or artistic services,
32 construction, and real property and capital improvement

1 leases procured by the State. Upon a three-fifths vote of
2 its members, the Board may review a contract. Upon a
3 three-fifths vote of its members, the Board may propose
4 procurement rules for consideration by chief procurement
5 officers. These proposals shall be published in each volume
6 of the Procurement Bulletin. Except as otherwise provided by
7 law, the Board shall act upon the vote of a majority of its
8 members who have been appointed and are serving.

9 (c) Members. The Board shall consist of 5 members
10 appointed one each by the 4 legislative leaders and the
11 Governor. The member appointed by the Governor shall be the
12 Chairman of the Board. Each member shall have demonstrated
13 sufficient business or professional experience in the area of
14 procurement to perform the functions of the Board. No member
15 may be a member of the General Assembly.

16 (d) Terms. Of the initial appointees, the Governor
17 shall designate one member, as Chairman, to serve a one-year
18 term, the President of the Senate and the Speaker of the
19 House shall each appoint one member to serve 3-year terms,
20 and the Minority Leader of the House and the Minority Leader
21 of the Senate shall each appoint one member to serve 2-year
22 terms. Subsequent terms shall be 4 years. Members may be
23 reappointed for succeeding terms.

24 Notwithstanding any other provision of this Section, the
25 term of the member of the Board who was appointed by the
26 Governor and is in office on June 30, 2003 shall terminate at
27 the close of business on that date or when his or her
28 successor has been appointed by the Governor, whichever
29 occurs later. As soon as possible, the Governor shall
30 appoint a person to fill the vacancy created by this
31 amendatory Act.

32 (e) Reimbursement. Members shall receive no
33 compensation but shall be reimbursed for any expenses
34 reasonably incurred in the performance of their duties. A

1 member of the Board who experiences a significant financial
2 hardship due to the loss of income on days of attendance at
3 meetings or while otherwise engaged in the business of the
4 Board may be paid a hardship allowance, as determined by and
5 subject to the approval of the Governor's Travel Control
6 Board.

7 (f) Staff support. The Board shall have an Executive
8 Director, who shall be appointed by the Governor without the
9 advice and consent of the Senate. The salary and duties of
10 the Executive Director shall be fixed by the Board. Upon--a
11 ~~three-fifths--vote--of--its--members,~~ the Board may employ an
12 ~~executive-director.~~ Subject to appropriation, the Board also
13 may have up to 3 staff persons. Other support services shall
14 be provided by the chief procurement officers.

15 (g) Meetings. Meetings of the Board may be conducted
16 telephonically, electronically, or through the use of other
17 telecommunications. Written minutes of such meetings shall
18 be created and available for public inspection and copying.

19 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

20 Section 35-200. The Property Tax Code is amended by
21 changing Sections 7-5, 7-10, and 7-15 as follows:

22 (35 ILCS 200/7-5)

23 Sec. 7-5. Creation of Property Tax Appeal Board. The
24 Property Tax Appeal Board shall consist of 5 members
25 appointed by the Governor, with the advice and consent of the
26 Senate. The Governor, with the advice and consent of the
27 Senate, shall designate one of the members to serve as
28 Chairman. The Property Tax Appeal Board shall be totally
29 independent of the Department. A vacancy on the Board shall
30 be filled in the same manner as original appointments are
31 made.

32 (Source: P.A. 87-1189; 88-455.)

(35 ILCS 200/7-10)

Sec. 7-10. Selection of members; expenses. The members of the Property Tax Appeal Board shall be qualified by virtue of 5 years experience and training in the field of public finance administration, at least 2 years of which shall be in the field of property appraisal and property tax administration. No more than 3 members of the Board may be members of the same political party.

The members of the Property Tax Appeal Board shall receive no compensation for their service on the Board, but they may be reimbursed for their necessary expenses incurred in the course of their duties. A member of the Board who experiences a significant financial hardship due to the loss of income on days of attendance at meetings or while otherwise engaged in the business of the Board may be paid a hardship allowance, as determined by and subject to the approval of the Governor's Travel Control Board. The Chairman--of--the--Property--Tax--Appeal--Board--shall--receive \$28,000-per-year,--or--an-amount-set-by-the-Compensation-Review Board,--whichever-is-greater;--and--each--other--member--of--the Board--shall--receive--\$22,500-per-year,--or--an-amount-set-by-the Compensation-Review-Board,--whichever-is-greater.

Of the 5 members of the Board the terms of 2 members shall expire on the third Monday in January, 1995; the term of 2 members shall expire on the third Monday in January, 1997; and the term of one member shall expire on the third Monday in January, 1999. Members shall be appointed in each odd-numbered year for a 6 year term commencing on the third Monday in January of such year. Each member shall serve until a successor is appointed and qualified.

Notwithstanding any other provision of this Section, the term of each member of the Board who was appointed by the Governor and is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the

1 successor members to be appointed pursuant to this amendatory
2 Act of the 93rd General Assembly have been appointed by the
3 Governor, whichever occurs later. As soon as possible, the
4 Governor shall appoint persons to fill the vacancies created
5 by this amendatory Act.

6 (Source: P.A. 84-1240; 88-455.)

7 (35 ILCS 200/7-15)

8 Sec. 7-15. Employees. The Board shall have an Executive
9 Director, who shall be appointed by the Governor without the
10 advice and consent of the Senate. The salary and duties of
11 the Executive Director shall be fixed by the Board.

12 The Property Tax Appeal Board shall choose a person to
13 serve as clerk of the Board.

14 (Source: P.A. 80-601; 88-455.)

15 Section 40-5. The Illinois Pension Code is amended by
16 changing Sections 14-134, 14-136, 15-159, 15-169, 16-163,
17 16-164, 16-169, 22A-109, and 22A-110 as follows:

18 (40 ILCS 5/14-134) (from Ch. 108 1/2, par. 14-134)

19 Sec. 14-134. Board created. The retirement system
20 created by this Article shall be a trust, separate and
21 distinct from all other entities. The responsibility for the
22 operation of the system and for making effective this Article
23 is vested in a board of trustees.

24 The board shall consist of 7 trustees, as follows:

25 (a) the Director of the Bureau of the Budget; (b) the
26 Comptroller; (c) one trustee, not a State employee, who shall
27 be Chairman, to be appointed by the Governor for a 5 year
28 term; (d) two members of the system, one of whom shall be an
29 annuitant age 60 or over, having at least 8 years of
30 creditable service, to be appointed by the Governor for terms
31 of 5 years; (e) one member of the system having at least 8

1 years of creditable service, to be elected from the
2 contributing membership of the system by the contributing
3 members as provided in Section 14-134.1; (f) one annuitant of
4 the system who has been an annuitant for at least one full
5 year, to be elected from and by the annuitants of the system,
6 as provided in Section 14-134.1. The Director of the Bureau
7 of the Budget and the Comptroller shall be ex-officio members
8 and shall serve as trustees during their respective terms of
9 office, except that each of them may designate another
10 officer or employee from the same agency to serve in his or
11 her place. However, no ex-officio member may designate a
12 different proxy within one year after designating a proxy
13 unless the person last so designated has become ineligible to
14 serve in that capacity. Except for the elected trustees, any
15 vacancy in the office of trustee shall be filled in the same
16 manner as the office was filled previously.

17 Notwithstanding any other provision of this Section, the
18 term of each member of the Board who was appointed by the
19 Governor and is in office on June 30, 2003 shall terminate at
20 the close of business on that date or when all of the
21 successor members to be appointed pursuant to this amendatory
22 Act of the 93rd General Assembly have been appointed by the
23 Governor, whichever occurs later. As soon as possible, the
24 Governor shall appoint persons to fill the vacancies created
25 by this amendatory Act.

26 A trustee shall serve until a successor qualifies, except
27 that a trustee who is a member of the system shall be
28 disqualified as a trustee immediately upon terminating
29 service with the State.

30 Each trustee is entitled to one vote on the board, and 4
31 trustees shall constitute a quorum for the transaction of
32 business. The affirmative votes of a majority of the
33 trustees present, but at least 3 trustees, shall be necessary
34 for action by the board at any meeting. The board's action

1 of July 22, 1986, by which it amended the bylaws of the
2 system to increase the number of affirmative votes required
3 for board action from 3 to 4 (in response to Public Act
4 84-1028, which increased the number of trustees from 5 to 7),
5 and the board's rejection, between that date and the
6 effective date of this amendatory Act of 1993, of proposed
7 actions not receiving at least 4 affirmative votes, are
8 hereby validated.

9 The trustees shall serve without compensation, but shall
10 be reimbursed from the funds of the system for all necessary
11 expenses incurred through service on the board. A member of
12 the Board who experiences a significant financial hardship
13 due to the loss of income on days of attendance at meetings
14 or while otherwise engaged in the business of the Board may
15 be paid a hardship allowance, as determined by and subject to
16 the approval of the Governor's Travel Control Board.

17 Each trustee shall take an oath of office that he or she
18 will diligently and honestly administer the affairs of the
19 system, and will not knowingly violate or willfully permit
20 the violation of any of the provisions of law applicable to
21 the system. The oath shall be subscribed to by the trustee
22 making it, certified by the officer before whom it is taken,
23 and filed with the Secretary of State. A trustee shall
24 qualify for membership on the board when the oath has been
25 approved by the board.

26 (Source: P.A. 87-1265.)

27 (40 ILCS 5/14-136) (from Ch. 108 1/2, par. 14-136)

28 Sec. 14-136. Executive Secretary. The Executive
29 Secretary shall be the executive officer in charge of the
30 administration of the detailed affairs of the system. The
31 Executive Secretary shall be appointed by the Governor
32 without the advice and consent of the Senate. The salary and
33 duties of the Executive Director shall be fixed by the Board.

1 The Executive Secretary He shall: (a) collect and receipt
 2 for all payments made to the system, including member
 3 contributions, State contributions, and other income accruing
 4 to the system, and deposit same with the State Treasurer for
 5 its account; (b) sign vouchers for the payment of moneys by
 6 the system in accordance with authorization of the board; and
 7 (c) perform such other duties as the board assigns to him.
 8 (Source: P.A. 80-841.)

9 (40 ILCS 5/15-159) (from Ch. 108 1/2, par. 15-159)
 10 Sec. 15-159. Board created. A board of trustees
 11 constituted as provided in this Section shall administer this
 12 System. The board shall be known as the Board of Trustees of
 13 the State Universities Retirement System.

14 (b) (Blank). ~~Until July 1, 1995, the Board of Trustees~~
 15 ~~shall be constituted as follows:~~

16 ~~Two trustees shall be members of the Board of Trustees of~~
 17 ~~the University of Illinois, one shall be a member of the~~
 18 ~~Board of Trustees of Southern Illinois University, one shall~~
 19 ~~be a member of the Board of Trustees of Chicago State~~
 20 ~~University, one shall be a member of the Board of Trustees of~~
 21 ~~Eastern Illinois University, one shall be a member of the~~
 22 ~~Board of Trustees of Governors State University, one shall be~~
 23 ~~a member of the Board of Trustees of Illinois State~~
 24 ~~University, one shall be a member of the Board of Trustees of~~
 25 ~~Northeastern Illinois University, one shall be a member of~~
 26 ~~the Board of Trustees of Northern Illinois University, one~~
 27 ~~shall be a member of the Board of Trustees of Western~~
 28 ~~Illinois University, and one shall be a member of the~~
 29 ~~Illinois Community College Board, selected in each case by~~
 30 ~~their respective boards, and 2 shall be participants of the~~
 31 ~~system appointed by the Governor for a 6-year term with the~~
 32 ~~first appointment made pursuant to this amendatory Act of~~
 33 ~~1984 to be effective September 1, 1985, and one shall be a~~

1 participant-appointed-by-the-Illinois-Community-College-Board
 2 for--a--6-year-term,--and-one-shall-be-a-participant-appointed
 3 by-the-Board-of-Trustees-of-the-University-of-Illinois-for--a
 4 6--year--term,--and-one-shall-be-a-participant-or-annuitant-of
 5 the-system-who-is-a-senior-citizen-age-60-or-older--appointed
 6 by--the-Governor-for-a-6-year-term-with-the-first-appointment
 7 to-be-effective-September-1,--1985.

8 The-terms-of--all--trustees--holding--office--under--this
 9 subsection-(b)-on-June-30,--1995-shall-terminate-at-the-end-of
 10 that--day--and--the--Board-shall-thereafter-be-constituted-as
 11 provided-in-subsection-(c).

12 (c) Beginning July 1, 1995, the Board of Trustees shall
 13 be constituted as follows:

14 The Board shall consist of 9 trustees appointed by the
 15 Governor. Two of the trustees, designated at the time of
 16 appointment, shall be participants of the System. Two of the
 17 trustees, designated at the time of appointment, shall be
 18 annuitants of the System who are receiving retirement
 19 annuities under this Article. The 5 remaining trustees may,
 20 but need not, be participants or annuitants of the System.

21 The term of office of trustees appointed under this
 22 subsection (c) shall be 6 years, beginning on July 1.
 23 However, of the initial trustees appointed under this
 24 subsection (c), 3 shall be appointed for terms of 2 years, 3
 25 shall be appointed for terms of 4 years, and 3 shall be
 26 appointed for terms of 6 years, to be designated by the
 27 Governor at the time of appointment.

28 Notwithstanding any other provision of this Section, the
 29 term of each member of the Board who was appointed by the
 30 Governor and is in office on June 30, 2003 shall terminate at
 31 the close of business on that date or when all of the
 32 successor members to be appointed pursuant to this amendatory
 33 Act of the 93rd General Assembly have been appointed by the
 34 Governor, whichever occurs later. As soon as possible, the

1 Governor shall appoint persons to fill the vacancies created
2 by this amendatory Act.

3 A vacancy on the board of trustees caused by resignation,
4 death, expiration of term of office, or other reason shall be
5 filled by a qualified person appointed by the Governor for
6 the remainder of the unexpired term.

7 Trustees (other than the trustees incumbent on June 30,
8 1995) shall continue in office until their respective
9 successors are appointed and have qualified, except that a
10 trustee appointed to one of the participant positions shall
11 be disqualified immediately upon the termination of his or
12 her status as a participant and a trustee appointed to one of
13 the annuitant positions shall be disqualified immediately
14 upon the termination of his or her status as an annuitant
15 receiving a retirement annuity.

16 The Governor shall appoint one of the members of the
17 Board to serve as chairman, who shall preside over meetings
18 of the Board.

19 (d) Each trustee must take an oath of office before a
20 notary public of this State and shall qualify as a trustee
21 upon the presentation to the board of a certified copy of the
22 oath. The oath must state that the person will diligently
23 and honestly administer the affairs of the retirement system,
24 and will not knowingly violate or wilfully permit to be
25 violated any provisions of this Article.

26 Each trustee shall serve without compensation but shall
27 be reimbursed for expenses necessarily incurred in attending
28 board meetings and carrying out his or her duties as a
29 trustee or officer of the system. A member of the Board who
30 experiences a significant financial hardship due to the loss
31 of income on days of attendance at meetings or while
32 otherwise engaged in the business of the Board may be paid a
33 hardship allowance, as determined by and subject to the
34 approval of the Governor's Travel Control Board.

1 ~~(e)--This-amendatory-Act-of-1995-is-intended-to-supersede~~
 2 ~~the-changes-made-to-this-Section-by-Public-Act-89-4-~~
 3 (Source: P.A. 89-4, eff. 1-1-96; 89-196, eff. 7-21-95.)

4 (40 ILCS 5/15-169) (from Ch. 108 1/2, par. 15-169)
 5 Sec. 15-169. To elect officers and appoint employees.
 6 To elect officers other than the chairman of the board; to
 7 have an Executive Director, who shall be appointed by the
 8 Governor without the advice and consent of the Senate; to
 9 appoint a secretary and treasurer; to have a seal; and to
 10 employ and fix the rate of pay of such actuarial, legal, or
 11 medical services, or corporate trustee organized under the
 12 laws of this State with a capital of not less than
 13 \$1,000,000, or investment counsel and other persons as shall
 14 be required for the efficient administration of the system.
 15 All actions brought by or against the board shall be
 16 prosecuted or defended by the Attorney General or by other
 17 counsel, as the board may decide.
 18 (Source: P.A. 83-1440.)

19 (40 ILCS 5/16-163) (from Ch. 108 1/2, par. 16-163)
 20 Sec. 16-163. Board created. A board of 11 members
 21 constitutes a board of trustees authorized to carry out the
 22 provisions of this Article and is responsible for the general
 23 administration of the System. The board is known as the
 24 Board of Trustees of the Teachers' Retirement System of the
 25 State of Illinois. The Board is composed of the
 26 Superintendent of Education, ~~ex officio, who shall be the~~
 27 ~~president of the board;~~ 4 persons, not members of the System,
 28 to be appointed by the Governor, who shall hold no elected
 29 State office; 4 teachers, as defined in Section 16-106,
 30 elected by the contributing members; and 2 annuitant members
 31 elected by the annuitants of the System, as provided in
 32 Section 16-165.

1 The Governor shall appoint one of the members of the
2 Board to serve as chairman, who shall preside over meetings
3 of the Board.

4 Members of the Board shall serve without compensation,
5 but may be reimbursed for their necessary expenses. A member
6 of the Board who experiences a significant financial hardship
7 due to the loss of income on days of attendance at meetings
8 or while otherwise engaged in the business of the Board may
9 be paid a hardship allowance, as determined by and subject to
10 the approval of the Governor's Travel Control Board.

11 (Source: P.A. 90-511, eff. 8-22-97; 91-941, eff. 2-6-01.)

12 (40 ILCS 5/16-164) (from Ch. 108 1/2, par. 16-164)

13 Sec. 16-164. Board - appointed members - vacancies.
14 Terms of office for the appointed members shall begin on July
15 15 of an even-numbered year. The Governor shall appoint 2
16 members as trustees in each even-numbered year who shall hold
17 office for a term of 4 years. Each such appointee shall
18 reside in and be a taxpayer in the territory covered by this
19 system, shall be interested in public school welfare, and
20 experienced and competent in financial and business
21 management. A vacancy in the term of an appointed trustee
22 shall be filled for the unexpired term by appointment of the
23 Governor.

24 Notwithstanding any other provision of this Section, the
25 term of each member of the Board who was appointed by the
26 Governor and is in office on June 30, 2003 shall terminate at
27 the close of business on that date or when all of the
28 successor members to be appointed pursuant to this amendatory
29 Act of the 93rd General Assembly have been appointed by the
30 Governor, whichever occurs later. As soon as possible, the
31 Governor shall appoint persons to fill the vacancies created
32 by this amendatory Act.

33 (Source: P.A. 83-1440.)

1 (40 ILCS 5/16-169) (from Ch. 108 1/2, par. 16-169)

2 Sec. 16-169. Board - Secretary and other employees. The
3 Board~~7--by--a--majority--vote--of--all--its--members7~~, shall have
4 appoint a Secretary, who shall not be a member of the Board
5 and who shall serve as the chief executive officer
6 responsible for the detailed administration of the system.
7 The Secretary shall be appointed by the Governor without the
8 advice and consent of the Senate. The salary and duties of
9 the Secretary shall be fixed by the Board.

10 (Source: P.A. 83-1440.)

11 (40 ILCS 5/22A-109) (from Ch. 108 1/2, par. 22A-109)

12 Sec. 22A-109. Membership of board. The board shall
13 consist of the following members: (a) ex-officio members
14 consisting of the State Treasurer and the Chairman of the
15 board of trustees of each pension fund or retirement system,
16 other than pension funds covered by Articles 3 and 4 of this
17 Code, whose investment functions have been transferred to the
18 jurisdiction of this board; and (b) 5 members appointed by
19 the Governor with the approval of the Senate, one of whom
20 shall be a senior citizen age 60 or over. The appointive
21 members shall serve for terms of 4 years except that the
22 terms of office of the original appointive members shall be
23 as follows: One member for a term of 1 year; 1 member for a
24 term of 2 years; 1 member for a term of 3 years; and 1 member
25 for a term of 4 years. The member first appointed under this
26 amendatory Act of 1984 shall serve for a term of 4 years.
27 Vacancies among the appointive members shall be filled for
28 unexpired terms by appointment in like manner as for original
29 appointments, and appointive members shall continue in office
30 until their successors have been appointed and have
31 qualified.

32 Notwithstanding any other provision of this Section, the
33 term of each member of the board who was appointed by the

1 Governor and is in office on June 30, 2003 shall terminate at
2 the close of business on that date or when all of the
3 successor members to be appointed pursuant to this amendatory
4 Act of the 93rd General Assembly have been appointed by the
5 Governor, whichever occurs later. As soon as possible, the
6 Governor shall appoint persons to fill the vacancies created
7 by this amendatory Act.

8 Ex-officio members who cannot attend meetings of the
9 board or its committees may respectively designate one
10 appropriate proxy from within the office of the State
11 Treasurer or the trustees of the pension fund or retirement
12 system, which proxy shall have the same powers and authority
13 as the ex-officio member being represented, but no member may
14 designate a different proxy within one year after his last
15 designation of a proxy unless the person last so designated
16 has become ineligible to serve in that capacity.

17 Each person appointed to membership shall qualify by
18 taking an oath of office before the Secretary of State
19 stating that he will diligently and honestly administer the
20 affairs of the board and will not violate or knowingly permit
21 the violation of any provisions of this Article.

22 Members of the board shall receive no salary for service
23 on the board but shall be reimbursed for travel expenses
24 incurred while on business for the board according to the
25 standards in effect for members of the Illinois Legislative
26 Research Unit. A member of the board who experiences a
27 significant financial hardship due to the loss of income on
28 days of attendance at meetings or while otherwise engaged in
29 the business of the board may be paid a hardship allowance,
30 as determined by and subject to the approval of the
31 Governor's Travel Control Board.

32 A majority of the members of the board shall constitute a
33 quorum.

34 The Governor shall appoint one of the members of the

1 board to serve as chairman, who shall preside over meetings
2 of the board. The board shall elect from its membership,
3 biennially, a Chairman, Vice Chairman and a Recording
4 Secretary. These officers, together with one other member
5 elected by the board, shall constitute the executive
6 committee. During the interim between regular meetings of
7 the board, the executive committee shall have authority to
8 conduct all business of the board and shall report such
9 business conducted at the next following meeting of the board
10 for ratification.

11 No member of the board shall have any interest in any
12 brokerage fee, commission or other profit or gain arising out
13 of any investment made by the board. This paragraph does not
14 preclude ownership by any member of any minority interest in
15 any common stock or any corporate obligation in which
16 investment is made by the board.

17 The board shall contract for a blanket fidelity bond in
18 the penal sum of not less than \$1,000,000.00 to cover members
19 of the board, the director and all other employees of the
20 board conditioned for the faithful performance of the duties
21 of their respective offices, the premium on which shall be
22 paid by the board. The bond shall be filed with the State
23 Treasurer for safekeeping.

24 (Source: P.A. 87-1265.)

25 (40 ILCS 5/22A-110) (from Ch. 108 1/2, par. 22A-110)
26 Sec. 22A-110. Administration.

27 (a) The board shall have a director, who shall be
28 appointed by the Governor without the advice and consent of
29 the Senate. The salary and duties of the director shall be
30 fixed by the board. ~~The board shall appoint a director shall~~
31 ~~to~~ administer the affairs of the board subject to and under
32 its supervision and ~~fix his compensation.~~ The board may
33 appoint investment officers and fix their compensation. With

1 the approval of the board, the director may employ such
2 personnel, professional or clerical, as may be desirable and
3 fix their compensation. The appointment and compensation of
4 the personnel other than the director and investment officers
5 shall be subject to the Personnel Code.

6 (b) The board may adopt such rules and regulations (not
7 inconsistent with this Article) as in its judgment are
8 desirable to implement and properly administer this Article.
9 A copy thereof shall be filed with the Secretary of State.

10 (c) The board may exercise any of the powers granted to
11 boards of trustees of pension funds under Sections 1-107 or
12 1-108 of this Act, and may by resolution provide for the
13 indemnification of its members and any of its directors,
14 officers, advisors or employees in a manner consistent with
15 those Sections. No such resolution adopted on or after
16 September 27, 1977 shall be deemed invalid for the reason
17 that it was adopted prior to the effective date of this
18 amendatory Act of 1983.

19 (d) An office for meetings of the board and for
20 administrative personnel shall be established at any suitable
21 place within the State as may be selected by the board. All
22 books and records of the board shall be kept in such office.
23 (Source: P.A. 83-974.)

24 Section 70-915. The Illinois Medical District Act is
25 amended by changing Section 2 as follows:

26 (70 ILCS 915/2) (from Ch. 111 1/2, par. 5002)

27 Sec. 2. Illinois Medical District Commission.

28 (a) There is hereby created a body politic and corporate
29 under the corporate name of Illinois Medical District
30 Commission, hereinafter called the Commission, whose general
31 purpose in addition to and not in limitation of those
32 purposes and powers set forth in other Sections of this Act

1 shall be to:

2 (1) maintain the proper surroundings for a medical
3 center and a related technology center in order to
4 attract, stabilize, and retain therein hospitals,
5 clinics, research facilities, educational facilities, or
6 other facilities permitted under this Act;

7 (2) provide for the orderly creation and expansion
8 of (i) various county, and local governmental facilities
9 as permitted under this Act, including, but not limited
10 to, juvenile detention facilities, (ii) other ancillary
11 or related facilities which the Commission may from time
12 to time determine are established and operated for any
13 aspect of the carrying out of the Commission's purposes
14 as set forth in this Act, or are established and operated
15 for the study, diagnosis, and treatment of human ailments
16 and injuries, whether physical or mental, or to promote
17 medical, surgical, and scientific research and knowledge
18 as permitted under this Act, and (iii) medical research
19 and high technology parks, together with the necessary
20 lands, buildings, facilities, equipment, and personal
21 property therefore.

22 (b) The Commission shall have perpetual succession,
23 power to contract and be contracted with, to sue and be sued
24 except in actions sounding in tort, to plead and be
25 impleaded, to have and use a common seal, and to alter the
26 same at pleasure. All actions sounding in tort against the
27 Commission shall be prosecuted in the Court of Claims. The
28 principal office of the Commission shall be in the city of
29 Chicago, and the Commission may establish such other offices
30 within the state of Illinois at such places as to the
31 Commission shall seem advisable.

32 Such Commission shall consist of 7 members, 4 of whom
33 shall be appointed by the Governor, 2 by the Mayor of
34 Chicago, and one by the President of the County Board of Cook

1 County. The Governor shall designate one of the members to
2 serve as chairman, who shall preside over meetings of the
3 Commission.

4 All members shall hold office for a term of 5 years and
5 until their successors are appointed as provided in this Act;
6 provided, that as soon as possible after the effective date
7 of this amendatory Act, the Governor shall appoint 4 members
8 for terms expiring, respectively, on June 30, 1952, 1953,
9 1954 and 1955. The terms of all members heretofore appointed
10 by the Governor shall expire upon the commencement of the
11 terms of the members appointed pursuant to this amendatory
12 Act. Any vacancy in the membership of the Commission
13 occurring by reason of the death, resignation,
14 disqualification, removal or inability or refusal to act of
15 any of the members of the Commission shall be filled by the
16 person who had appointed the particular member, and for the
17 unexpired term of office of that particular member. A
18 vacancy caused by the expiration of the period for which the
19 member was appointed shall be filled by a new appointment for
20 a term of 5 years from the date of such expiration of the
21 prior 5 year term notwithstanding when such appointment is
22 actually made.

23 Notwithstanding any other provision of this Section, the
24 term of each member of the Commission who was appointed by
25 the Governor and is in office on June 30, 2003 shall
26 terminate at the close of business on that date or when all
27 of the successor members to be appointed pursuant to this
28 amendatory Act of the 93rd General Assembly have been
29 appointed by the Governor, whichever occurs later. As soon
30 as possible, the Governor shall appoint persons to fill the
31 vacancies created by this amendatory Act.

32 Members of the Commission shall not be compensated for
33 their service, but may be reimbursed for the necessary
34 expenses incurred in the performance of their duties. A

1 member who experiences a significant financial hardship due
2 to the loss of income on days of attendance at meetings or
3 while otherwise engaged in the business of the Commission may
4 be paid a hardship allowance, as determined by and subject to
5 the approval of the Governor's Travel Control Board.

6 The Commission shall have an Executive Director, who
7 shall be appointed by the Governor without the advice and
8 consent of the Senate. The salary and duties of the
9 Executive Director shall be fixed by the Commission. The
10 Commission shall obtain, pursuant to the provisions of the
11 Personnel Code, such other personnel as to the Commission
12 shall seem advisable to carry out the purposes of this Act
13 and the work of the Commission. The Commission may appoint a
14 General Attorney and define the duties of that General
15 Attorney.

16 The Commission shall hold regular meetings annually for
17 the election of a president, vice-president, secretary, and
18 treasurer and for the adoption of a budget. Special meetings
19 may be called by the President or by any 2 members. Each
20 member shall take an oath of office for the faithful
21 performance of his duties. Four members of the Commission
22 shall constitute a quorum for the transaction of business.

23 The Commission shall submit, to the General Assembly not
24 later than March 1 of each odd-numbered year, a detailed
25 report covering its operations for the 2 preceding calendar
26 years and a statement of its program for the next 2 years.

27 The requirement for reporting to the General Assembly
28 shall be satisfied by filing copies of the report with the
29 Speaker, the Minority Leader and the Clerk of the House of
30 Representatives and the President, the Minority Leader and
31 the Secretary of the Senate and the Legislative Research
32 Unit, as required by Section 3.1 of the General Assembly
33 Organization Act, and filing such additional copies with the
34 State Government Report Distribution Center for the General

1 Assembly as is required under paragraph (t) of Section 7 of
2 the State Library Act.

3 (Source: P.A. 89-356, eff. 8-17-95.)

4 Section 70-3205. The Illinois Sports Facilities
5 Authority Act is amended by changing Sections 4, 5, 6, and 7
6 as follows:

7 (70 ILCS 3205/4) (from Ch. 85, par. 6004)

8 Sec. 4. Creation of Authority. There is hereby created
9 a political subdivision, unit of local government, body
10 politic and municipal corporation by the name and style of
11 the Illinois Sports Facilities Authority.

12 The governing and administrative powers of the Authority
13 shall be vested in a body known as the Illinois Sports
14 Facilities Authority Board. The Board shall consist of 7
15 members, a Chairman who shall be appointed by the Governor
16 ~~subject--to-the-approval-of-the-Mayer-of-the-City-of-Chicago,~~
17 3 other members shall be appointed by the Governor, and 3
18 members shall be appointed by the Mayor of the City of
19 Chicago. All gubernatorial appointments, including the
20 Chairman, shall be subject to the advice and consent of the
21 Senate, except in the case of temporary appointments as
22 provided in Section 5 of this Act. No member shall be
23 employed by the State or any political subdivision of the
24 State or of any department or agency thereof.

25 (Source: P.A. 85-8.)

26 (70 ILCS 3205/5) (from Ch. 85, par. 6005)

27 Sec. 5. Terms of Appointments. On the effective date of
28 this Act, the Governor shall appoint 3 members of the Board
29 for initial terms expiring July 1 of the years 1988, 1989 and
30 1990, respectively and the Mayor of the City of Chicago shall
31 appoint 3 members of the Board for initial terms expiring

1 July 1 of the years 1988, 1989 and 1990, respectively. At
2 the expiration of the term of any member appointed by the
3 Governor, his successor shall be appointed by the Governor in
4 like manner, and at the expiration of the term of any member
5 appointed by the Mayor of the City of Chicago, his successor
6 shall be appointed by the Mayor of the City of Chicago in
7 like manner, as appointments for the initial terms. All
8 successors shall hold office for a term of 3 years from the
9 first day of July of the year in which they are appointed,
10 except in case of an appointment to fill a vacancy. The
11 initial Chairman shall serve in that capacity for a term
12 expiring July 1, 1991. All subsequent Chairmen shall hold
13 office for a term of 3 years. Each member, including the
14 Chairman, shall hold office until the expiration of his term
15 and until his successor is appointed and qualified. Nothing
16 shall preclude a member or a chairman from serving
17 consecutive terms. Vacancies for members and for the
18 Chairman shall be filled in the same manner as original
19 appointments for the balance of the unexpired term.

20 In case of a vacancy in the office of the chairman or of
21 any of the three members of the Board appointed by the
22 Governor during the recess of the Senate, the Governor shall
23 make a temporary appointment until the next meeting of the
24 Senate, when he shall appoint some person to fill such
25 office. Any person so appointed who is confirmed by the
26 Senate shall hold office during the remainder of the term and
27 until his successor is appointed and qualified. The initial
28 appointments by the Governor, including the chairman, shall
29 be effective immediately, but shall remain in effect no
30 longer than 30 calendar days after commencement of the next
31 Senate session unless the appointee is confirmed by the
32 Senate within that time. The appointment of the initial
33 chairman by the Governor shall be subject to the approval of
34 the Mayor of the City of Chicago.

1 Notwithstanding any other provision of this Section, the
2 term of each member of the Board who was appointed by the
3 Governor and is in office on June 30, 2003 shall terminate at
4 the close of business on that date or when all of the
5 successor members to be appointed pursuant to this amendatory
6 Act of the 93rd General Assembly have been appointed by the
7 Governor, whichever occurs later. As soon as possible, the
8 Governor shall appoint persons to fill the vacancies created
9 by this amendatory Act.

10 (Source: P.A. 85-8.)

11 (70 ILCS 3205/6) (from Ch. 85, par. 6006)

12 Sec. 6. Actions of Members.

13 (A) Four members of the Authority constitute a quorum
14 for the purpose of conducting business. Actions of the
15 Authority must receive the affirmative vote of at least four
16 members. The Authority shall determine the times and places
17 of its meetings.

18 The members of the Authority shall serve without
19 compensation for service as a member, but are entitled to
20 reimbursement of reasonable expenses incurred in the
21 performance of their official duties. A member of the Board
22 who experiences a significant financial hardship due to the
23 loss of income on days of attendance at meetings or while
24 otherwise engaged in the business of the Board may be paid a
25 hardship allowance, as determined by and subject to the
26 approval of the Governor's Travel Control Board.

27 (B) The Authority shall annually elect a secretary and a
28 treasurer. An executive committee made up of three members,
29 comprised of the Chairman, one member who was appointed by
30 the Governor and one member who was appointed by the Mayor of
31 Chicago shall have the authority to operate the Authority on
32 a day-to-day basis, with the powers and duties determined by
33 the Bylaws of the Authority.

1 (Source: P.A. 85-8.)

2 (70 ILCS 3205/7) (from Ch. 85, par. 6007)

3 Sec. 7. Executive Director. The Governor Authority
4 shall appoint an Executive Director, who shall be ~~is~~ the
5 chief executive officer of the Authority.

6 In addition to any other duties set forth in this Act,
7 the Executive Director shall:

8 (1) Direct and supervise the administrative affairs and
9 activities of the Authority, in accordance with its rules,
10 regulations, and policies;

11 (2) Attend meetings of the Authority;

12 (3) Keep minutes of all proceedings of the Authority;

13 (4) Approve all accounts for salaries, per diem
14 payments, and allowable expenses of the Authority and its
15 employees and consultants and approve all expenses incidental
16 to the operation of the Authority;

17 (5) Report and make recommendations to the Authority on
18 the merits and status of any proposed facility; and

19 (6) Perform any other duty that the Authority requires
20 for carrying out the provisions of this Act.

21 (Source: P.A. 84-1470.)

22 Section 105-5. The School Code is amended by changing
23 Section 14-11.02 as follows:

24 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

25 Sec. 14-11.02. Notwithstanding any other Sections of
26 this Article, the State Board of Education shall develop and
27 operate or contract for the operation of a service center for
28 persons who are deaf-blind. For the purpose of this Section,
29 persons with deaf-blindness are persons who have both
30 auditory and visual impairments, the combination of which
31 causes such severe communication and other developmental,

1 educational, vocational and rehabilitation problems that such
2 persons cannot be properly accommodated in special education
3 or vocational rehabilitation programs solely for persons with
4 both hearing and visual disabilities.

5 To be eligible for deaf-blind services, a person must
6 have (i) a visual impairment and an auditory impairment, or
7 (ii) a condition in which there is a progressive loss of
8 hearing or vision or both that results in concomitant vision
9 and hearing impairments and that adversely affects
10 educational performance as determined by the
11 multidisciplinary conference. For purposes of this paragraph
12 and Section:

13 (A) A visual impairment is defined to mean one or
14 more of the following: (i) corrected visual acuity poorer
15 than 20/70 in the better eye; (ii) restricted visual
16 field of 20 degrees or less in the better eye; (iii)
17 cortical blindness; (iv) does not appear to respond to
18 visual stimulation, which adversely affects educational
19 performance as determined by the multidisciplinary
20 conference.

21 (B) An auditory impairment is defined to mean one
22 or more of the following: (i) a sensorineural or ongoing
23 or chronic conductive hearing loss with aided sensitivity
24 of 30dB HL or poorer; (ii) functional auditory behavior
25 that is significantly discrepant from the person's
26 present cognitive and/or developmental levels, which
27 adversely affects educational performance as determined
28 by the multidisciplinary conference.

29 The State Board of Education is empowered to establish,
30 maintain and operate or contract for the operation of a
31 permanent state-wide service center known as the Philip J.
32 Rock Center and School. The School serves eligible children
33 between the ages of 3 and 21; the Center serves eligible
34 persons of all ages. Services provided by the Center include,

1 but are not limited to:

2 (1) Identifying and case management of persons who
3 are auditorily and visually impaired;

4 (2) Providing families with appropriate counseling;

5 (3) Referring persons who are deaf-blind to
6 appropriate agencies for medical and diagnostic services;

7 (4) Referring persons who are deaf-blind to
8 appropriate agencies for educational, training and care
9 services;

10 (5) Developing and expanding services throughout
11 the State to persons who are deaf-blind. This will
12 include ancillary services, such as transportation so
13 that the individuals can take advantage of the expanded
14 services;

15 (6) Maintaining a residential-educational training
16 facility in the Chicago metropolitan area located in an
17 area accessible to public transportation;

18 (7) Receiving, dispensing, and monitoring State and
19 Federal funds to the School and Center designated for
20 services to persons who are deaf-blind;

21 (8) Coordinating services to persons who are
22 deaf-blind through all appropriate agencies, including
23 the Department of Children and Family Services and the
24 Department of Human Services;

25 (9) Entering into contracts with other agencies to
26 provide services to persons who are deaf-blind;

27 (10) Operating on a no-reject basis. Any
28 individual referred to the Center for service and
29 diagnosed as deaf-blind, as defined in this Act, shall
30 qualify for available services;

31 (11) Serving as the referral clearinghouse for all
32 persons who are deaf-blind, age 21 and older; and

33 (12) Providing transition services for students of
34 Philip J. Rock School who are deaf-blind and between the

1 ages of 14 1/2 and 21.

2 The Advisory Board for Services for Persons who are
3 Deaf-Blind shall provide advice to the State Superintendent
4 of Education, the Governor, and the General Assembly on all
5 matters pertaining to policy concerning persons who are
6 deaf-blind, including the implementation of legislation
7 enacted on their behalf.

8 Regarding the maintenance, operation and education
9 functions of the Philip J. Rock Center and School, the
10 Advisory Board shall also make recommendations pertaining to
11 but not limited to the following matters:

12 (1) Existing and proposed programs of all State
13 agencies that provide services for persons who are
14 deaf-blind;

15 (2) The State program and financial plan for
16 deaf-blind services and the system of priorities to be
17 developed by the State Board of Education;

18 (3) Standards for services in facilities serving
19 persons who are deaf-blind;

20 (4) Standards and rates for State payments for any
21 services purchased for persons who are deaf-blind;

22 (5) Services and research activities in the field
23 of deaf-blindness, including evaluation of services; and

24 (6) Planning for personnel/preparation, both
25 preservice and inservice.

26 The Advisory Board shall consist of 3 persons appointed
27 by the Governor; 2 persons appointed by the State
28 Superintendent of Education; 4 persons appointed by the
29 Secretary of Human Services; and 2 persons appointed by the
30 Director of Children and Family Services. The 3 appointments
31 of the Governor shall consist of a senior citizen 60 years of
32 age or older, a consumer who is deaf-blind, and a parent of a
33 person who is deaf-blind; provided that if any gubernatorial
34 appointee serving on the Advisory Board on the effective date

1 of this amendatory Act of 1991 is not either a senior citizen
2 60 years of age or older or a consumer who is deaf-blind or a
3 parent of a person who is deaf-blind, then whenever that
4 appointee's term of office expires or a vacancy in that
5 appointee's office sooner occurs, the Governor shall make the
6 appointment to fill that office or vacancy in a manner that
7 will result, at the earliest possible time, in the Governor's
8 appointments to the Advisory Board being comprised of one
9 senior citizen 60 years of age or older, one consumer who is
10 deaf-blind, and one parent of a person who is deaf-blind.
11 One person designated by each agency other than the
12 Department of Human Services may be an employee of that
13 agency. Two persons appointed by the Secretary of Human
14 Services may be employees of the Department of Human
15 Services. The appointments of each appointing authority
16 other than the Governor shall include at least one parent of
17 an individual who is deaf-blind or a person who is
18 deaf-blind.

19 Vacancies in terms shall be filled by the original
20 appointing authority. After the original terms, all terms
21 shall be for 3 years.

22 Except for those members of the Advisory Board who are
23 compensated for State service on a full-time basis, members
24 shall be reimbursed for all actual expenses incurred in the
25 performance of their duties. Each member who is not
26 compensated for State service on a full-time basis and who
27 experiences a significant financial hardship due to the loss
28 of income on days of attendance at meetings or while
29 otherwise engaged in the business of the Advisory Board may
30 be paid a hardship allowance, as determined by and subject to
31 the approval of the Governor's Travel Control Board. shall-be
32 compensated--at--a--rate--of--\$50--per-day-which-he-spends-on
33 Advisory-Board-duties-

34 The Advisory Board shall meet at least 4 times per year

1 and not more than 12 times per year.

2 The Advisory Board shall provide for its own
3 organization.

4 Six members of the Advisory Board shall constitute a
5 quorum. The affirmative vote of a majority of all members of
6 the Advisory Board shall be necessary for any action taken by
7 the Advisory Board.

8 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;
9 89-507, eff. 7-1-97.)

10 Section 115-5. The Illinois Educational Labor Relations
11 Act is amended by changing Sections 2 and 5 as follows:

12 (115 ILCS 5/2) (from Ch. 48, par. 1702)

13 Sec. 2. Definitions. As used in this Act:

14 (a) "Educational employer" or "employer" means the
15 governing body of a public school district, combination of
16 public school districts, including the governing body of
17 joint agreements of any type formed by 2 or more school
18 districts, public community college district or State college
19 or university, and any State agency whose major function is
20 providing educational services. "Educational employer" or
21 "employer" does not include a Financial Oversight Panel
22 created pursuant to Section 1A-8 of the School Code due to a
23 district violating a financial plan but does include a School
24 Finance Authority created under Article 1E of the School
25 Code.

26 (b) "Educational employee" or "employee" means any
27 individual, excluding supervisors, managerial, confidential,
28 short term employees, student, and part-time academic
29 employees of community colleges employed full or part time by
30 an educational employer, but shall not include elected
31 officials and appointees of the Governor with the advice and
32 consent of the Senate, firefighters as defined by subsection

1 (g-1) of Section 3 of the Illinois Public Labor Relations
2 Act, and peace officers employed by a State university. For
3 the purposes of this Act, part-time academic employees of
4 community colleges shall be defined as those employees who
5 provide less than 6 credit hours of instruction per academic
6 semester.

7 (c) "Employee organization" or "labor organization"
8 means an organization of any kind in which membership
9 includes educational employees, and which exists for the
10 purpose, in whole or in part, of dealing with employers
11 concerning grievances, employee-employer disputes, wages,
12 rates of pay, hours of employment, or conditions of work, but
13 shall not include any organization which practices
14 discrimination in membership because of race, color, creed,
15 age, gender, national origin or political affiliation.

16 (d) "Exclusive representative" means the labor
17 organization which has been designated by the Illinois
18 Educational Labor Relations Board as the representative of
19 the majority of educational employees in an appropriate unit,
20 or recognized by an educational employer prior to January 1,
21 1984 as the exclusive representative of the employees in an
22 appropriate unit or, after January 1, 1984, recognized by an
23 employer upon evidence that the employee organization has
24 been designated as the exclusive representative by a majority
25 of the employees in an appropriate unit.

26 (e) "Board" means the Illinois Educational Labor
27 Relations Board until that Board is abolished. Beginning on
28 the effective date of this amendatory Act of the 93rd General
29 Assembly, "Board" means the State Panel of the Illinois Labor
30 Relations Board created under the Illinois Public Labor
31 Relations Act.

32 (f) "Regional Superintendent" means the regional
33 superintendent of schools provided for in Articles 3 and 3A
34 of The School Code.

1 (g) "Supervisor" means any individual having authority
2 in the interests of the employer to hire, transfer, suspend,
3 lay off, recall, promote, discharge, reward or discipline
4 other employees within the appropriate bargaining unit and
5 adjust their grievances, or to effectively recommend such
6 action if the exercise of such authority is not of a merely
7 routine or clerical nature but requires the use of
8 independent judgment. The term "supervisor" includes only
9 those individuals who devote a preponderance of their
10 employment time to such exercising authority.

11 (h) "Unfair labor practice" or "unfair practice" means
12 any practice prohibited by Section 14 of this Act.

13 (i) "Person" includes an individual, educational
14 employee, educational employer, legal representative, or
15 employee organization.

16 (j) "Wages" means salaries or other forms of
17 compensation for services rendered.

18 (k) "Professional employee" means, in the case of a
19 public community college, State college or university, State
20 agency whose major function is providing educational
21 services, the Illinois School for the Deaf, and the Illinois
22 School for the Visually Impaired, (1) any employee engaged in
23 work (i) predominantly intellectual and varied in character
24 as opposed to routine mental, manual, mechanical, or physical
25 work; (ii) involving the consistent exercise of discretion
26 and judgment in its performance; (iii) of such character that
27 the output produced or the result accomplished cannot be
28 standardized in relation to a given period of time; and (iv)
29 requiring knowledge of an advanced type in a field of science
30 or learning customarily acquired by a prolonged course of
31 specialized intellectual instruction and study in an
32 institution of higher learning or a hospital, as
33 distinguished from a general academic education or from an
34 apprenticeship or from training in the performance of routine

1 mental, manual, or physical processes; or (2) any employee,
2 who (i) has completed the courses of specialized intellectual
3 instruction and study described in clause (iv) of paragraph
4 (1) of this subsection, and (ii) is performing related work
5 under the supervision of a professional person to qualify
6 himself or herself to become a professional as defined in
7 paragraph (1).

8 (l) "Professional employee" means, in the case of any
9 public school district, or combination of school districts
10 pursuant to joint agreement, any employee who has a
11 certificate issued under Article 21 or Section 34-83 of the
12 School Code, as now or hereafter amended.

13 (m) "Unit" or "bargaining unit" means any group of
14 employees for which an exclusive representative is selected.

15 (n) "Confidential employee" means an employee, who (i)
16 in the regular course of his or her duties, assists and acts
17 in a confidential capacity to persons who formulate,
18 determine and effectuate management policies with regard to
19 labor relations or who (ii) in the regular course of his or
20 her duties has access to information relating to the
21 effectuation or review of the employer's collective
22 bargaining policies.

23 (o) "Managerial employee" means an individual who is
24 engaged predominantly in executive and management functions
25 and is charged with the responsibility of directing the
26 effectuation of such management policies and practices.

27 (p) "Craft employee" means a skilled journeyman, craft
28 person, and his or her apprentice or helper.

29 (q) "Short-term employee" is an employee who is employed
30 for less than 2 consecutive calendar quarters during a
31 calendar year and who does not have a reasonable expectation
32 that he or she will be rehired by the same employer for the
33 same service in a subsequent calendar year. Nothing in this
34 subsection shall affect the employee status of individuals

1 who were covered by a collective bargaining agreement on the
2 effective date of this amendatory Act of 1991.

3 (Source: P.A. 92-547, eff. 6-13-02; 92-748, eff. 1-1-03;
4 revised 8-26-02.)

5 (115 ILCS 5/5) (from Ch. 48, par. 1705)

6 Sec. 5. Illinois Educational Labor Relations Board
7 abolished; successor; powers and duties.

8 (a) On the effective date of this amendatory Act of the
9 93rd General Assembly, the Illinois Educational Labor
10 Relations Board is abolished. On that date, all of the
11 powers, duties, assets, liabilities, employees, contracts,
12 property, records, pending business, and unexpended
13 appropriations of the Illinois Educational Labor Relations
14 Board are transferred to the State Panel of the Illinois
15 Labor Relations Board created under the Illinois Public Labor
16 Relations Act.

17 For purposes of the Successor Agency Act, the State Panel
18 of the Illinois Labor Relations Board is declared to be the
19 successor agency of the Illinois Educational Labor Relations
20 Board.

21 Beginning on the effective date of this amendatory Act of
22 the 93rd General Assembly, references to the Illinois
23 Educational Labor Relations Board shall, in appropriate
24 contexts, be deemed to refer to the State Panel of the
25 Illinois Labor Relations Board.

26 Rules of the Illinois Educational Labor Relations Board
27 in effect on the effective date of this amendatory Act of the
28 93rd General Assembly shall be deemed rules of the State
29 Panel of the Illinois Labor Relations Board.

30 ~~There--is--hereby--created--the--Illinois--Educational--Labor~~
31 ~~Relations--Board--consisting--of--7--members,--no--more--than--4--of~~
32 ~~whom--may--be--of--the--same--political--party,--who--are--residents--of~~
33 ~~Illinois--appointed--by--the--Governor--with--the--advice--and~~

1 consent-of-the-Senate.--The-Governor--shall--appoint--to--the
2 Board--only--persons--who--have--had--a-minimum-of-5-years-of
3 experience-directly-related-to-labor-and-employment-relations
4 in--representing---educational---employers---or---educational
5 employees--in--collective--bargaining-matters.--One-appointed
6 member-shall--be--designated--at--the--time--of--his--or--her
7 appointment-to-serve-as-chairman.

8 Of--the--2--additional-members-appointed-pursuant-to-this
9 amendatory-Act-of-1997, one-shall-be-designated-at--the--time
10 of--his-or-her-appointment-to-serve-a-term-of-6-years-and-the
11 other--shall--be--designated--at--the--time--of--his--or--her
12 appointment-to-serve-a-term-of-4-years, with--each--to--serve
13 until--his--or--her-successor-is-appointed-and-qualified.--In
14 the-event-the-Senate-is-not-in-session--at--the--time--the--2
15 additional--members-are-appointed-pursuant-to-this-amendatory
16 Act-of-1997, the-Governor-shall-make--those--appointments--as
17 temporary--appointments--until-the-next-meeting-of-the-Senate
18 when-he-shall-appoint, by-and-with-the-advice-and-consent--of
19 the--Senate,--2--persons--to-fill-those-memberships-for-their
20 unexpired-terms.

21 The-2--additional--members--appointed--pursuant--to--this
22 amendatory--Act-of-the-91st-General-Assembly-shall-each-serve
23 initial-terms-of-6-years.

24 (b) (Blank). Each-subsequent-member-shall--be--appointed
25 in--like--manner--for--a-term-of-6-years-and-until-his-or-her
26 successor-is-appointed-and--qualified.--Each--member--of--the
27 Board--is--eligible--for--reappointment.--Vacancies-shall-be
28 filled-in-the-same-manner-as-original--appointments--for--the
29 balance-of-the-unexpired-term.

30 (c) (Blank). The--chairman--shall--be--paid--\$50,000-per
31 year, or-an-amount-set--by--the--Compensation--Review--Board,
32 whichever--is-greater.--Other-members-of-the-Board-shall-each
33 be--paid--\$45,000--per--year, or--an--amount--set--by--the
34 Compensation--Review-Board, whichever-is-greater.--They-shall

1 be-entitled-to--reimbursement--for--necessary--traveling--and
2 ether--official--expenditures--necessitated-by-their-official
3 duties-

4 (d) (Blank). Four-members--of--the--Board--constitute--a
5 quorum--and--a-vacancy-on-the-board-does-not-impair-the-right
6 of-the-remaining-members-to-exercise-all-of-the-powers-of-the
7 Board-

8 (e) (Blank). Any-member-of-the-Board-may-be--removed--by
9 the-Governor-, upon-notice-, for-neglect-of-duty-or-malfeasance
10 in-office-, but-for-no-other-cause-

11 (f) The Board may appoint or employ an--executive
12 director-, attorneys, hearing officers, and such other
13 employees as it deems necessary to perform its functions
14 under this Act. The Board shall prescribe the duties and
15 qualifications of such persons appointed and, subject to the
16 annual appropriation, fix their compensation and provide for
17 reimbursement of actual and necessary expenses incurred in
18 the performance of their duties.

19 (g) The Board may promulgate rules and regulations which
20 allow parties in proceedings before the Board to be
21 represented by counsel or any other person knowledgeable in
22 the matters under consideration.

23 (h) To accomplish the objectives and to carry out the
24 duties prescribed by this Act, the Board may subpoena
25 witnesses, subpoena the production of books, papers, records
26 and documents which may be needed as evidence on any matter
27 under inquiry and may administer oaths and affirmations.

28 In cases of neglect or refusal to obey a subpoena issued
29 to any person, the circuit court in the county in which the
30 investigation or the public hearing is taking place, upon
31 application by the Board, may issue an order requiring such
32 person to appear before the Board or any member or agent of
33 the Board to produce evidence or give testimony. A failure to
34 obey such order may be punished by the court as in civil

1 contempt.

2 Any subpoena, notice of hearing, or other process or
3 notice of the Board issued under the provisions of this Act
4 may be served personally, by registered mail or by leaving a
5 copy at the principal office of the respondent required to be
6 served. A return, made and verified by the individual making
7 such service and setting forth the manner of such service, is
8 proof of service. A post office receipt, when registered
9 mail is used, is proof of service. All process of any court
10 to which application may be made under the provisions of this
11 Act may be served in the county where the persons required to
12 be served reside or may be found.

13 (i) The Board shall adopt, promulgate, amend, or rescind
14 rules and regulations in accordance with "The Illinois
15 Administrative Procedure Act", as now or hereafter amended,
16 as it deems necessary and feasible to carry out this Act.

17 (j) The Board at the end of every State fiscal year
18 shall make a report in writing to the Governor and the
19 General Assembly, stating in detail the work it has done in
20 hearing and deciding cases and otherwise.

21 (Source: P.A. 90-548, eff. 1-1-98; 91-798, eff. 7-9-00.)

22 Section 205-105. The Illinois Savings and Loan Act of
23 1985 is amended by changing Section 7-20 as follows:

24 (205 ILCS 105/7-20) (from Ch. 17, par. 3307-20)

25 Sec. 7-20. Board of Savings Institutions; appointment.
26 The Savings and Loan Board is hereby redesignated the Board
27 of Savings Institutions. The Board shall be composed of 7
28 persons appointed by the Governor. Four persons shall
29 represent the public interest. Three persons shall have been
30 engaged actively in savings and loan or savings bank
31 management in this State for at least 5 years immediately
32 prior to appointment.

1 Members Each-member of the Board shall not be compensated
2 for their service, but may be reimbursed for the receive
3 compensation-of--\$50--per--day--for--each--day--actually--and
4 necessarily--consumed--in--the--performance--of-the-duties-of
5 office, plus necessary expenses incurred in the performance
6 of their these duties. A member of the Board who experiences
7 a significant financial hardship due to the loss of income on
8 days of attendance at meetings or while otherwise engaged in
9 the business of the Board may be paid a hardship allowance,
10 as determined by and subject to the approval of the
11 Governor's Travel Control Board.

12 The members of the Board serving immediately before the
13 effective date of this amendatory Act of 1996 shall continue
14 to serve for the balance of their respective terms. Members
15 shall be appointed for 4-year terms to expire on the third
16 Monday in January. Except as otherwise provided in this
17 Section, members of the Board shall serve until their
18 respective successors are appointed and qualified. A member
19 who tenders a written resignation shall serve only until the
20 resignation is accepted by the Chairman. A member who fails
21 to attend 3 consecutive Board meetings without an excused
22 absence shall no longer serve as a member. The Governor
23 shall fill any vacancy by the appointment of a member for the
24 unexpired term in the same manner as in the making of
25 original appointments.

26 (Source: P.A. 89-508, eff. 7-3-96; 89-603, eff. 8-2-96.)

27 Section 215-105. The Comprehensive Health Insurance Plan
28 Act is amended by changing Section 3 as follows:

29 (215 ILCS 105/3) (from Ch. 73, par. 1303)

30 Sec. 3. Operation of the Plan.

31 a. There is hereby created an Illinois Comprehensive
32 Health Insurance Plan.

1 b. The Plan shall operate subject to the supervision and
2 control of the board. The board is created as a political
3 subdivision and body politic and corporate and, as such, is
4 not a State agency.

5 Until July 1, 2003 or when all of the new members to be
6 initially appointed under this amendatory Act of the 93rd
7 General Assembly have been appointed by the Governor,
8 whichever occurs later, the board shall consist of 10 public
9 members, appointed by the Governor with the advice and
10 consent of the Senate.

11 The term of each appointed member of the Board who is in
12 office on June 30, 2003 shall terminate at the close of
13 business on that date or when all of the new members to be
14 initially appointed under this amendatory Act of the 93rd
15 General Assembly have been appointed by the Governor,
16 whichever occurs later.

17 Beginning on July 1, 2003 or when all of the new members
18 to be initially appointed under this amendatory Act of the
19 93rd General Assembly have been appointed by the Governor,
20 whichever occurs later, the board shall include 6 public
21 members appointed by the Governor with the advice and consent
22 of the Senate.

23 Initial members appointed pursuant to this amendatory Act
24 of the 93rd General Assembly shall be appointed to the Board
25 by the Governor as follows: 2 members to serve until July 1,
26 2004 1988, and until their successors are appointed and
27 qualified; 2 members to serve until July 1, 2005 1989, and
28 until their successors are appointed and qualified; 3-members
29 ~~to-serve-until-July-1, 1990, and-until-their--successors--are~~
30 ~~appointed--and-qualified;~~ and 2 3 members to serve until July
31 1, 2006 1991, and until their successors are appointed and
32 qualified. As terms of initial members expire, their
33 successors shall be appointed for terms to expire the first
34 day in July 3 years thereafter, and until their successors

1 are appointed and qualified.

2 Any vacancy in the Board occurring for any reason other
3 than the expiration of a term shall be filled for the
4 unexpired term in the same manner as the original
5 appointment.

6 Any member of the Board may be removed by the Governor
7 for neglect of duty, misfeasance, malfeasance, or nonfeasance
8 in office.

9 In addition, a representative of the Bureau of the
10 Budget, a representative of the Office of the Attorney
11 General, and the Director or the Director's designated
12 representative shall be members of the board. Four members
13 of the General Assembly, one each appointed by the President
14 and Minority Leader of the Senate and by the Speaker and
15 Minority Leader of the House of Representatives, shall serve
16 as nonvoting members of the board. At least 2 of the public
17 members shall be individuals reasonably expected to qualify
18 for coverage under the Plan, the parent or spouse of such an
19 individual, or a surviving family member of an individual who
20 could have qualified for the plan during his lifetime. The
21 Director or Director's representative shall be the
22 chairperson of the board.

23 No more than 5 voting members of the board may be of the
24 same political party.

25 Members of the board shall receive no compensation, but
26 shall be reimbursed for reasonable expenses incurred in the
27 necessary performance of their duties. A member of the Board
28 who experiences a significant financial hardship due to the
29 loss of income on days of attendance at meetings or while
30 otherwise engaged in the business of the Board may be paid a
31 hardship allowance, as determined by and subject to the
32 approval of the Governor's Travel Control Board.

33 c. The board shall make an annual report in September
34 and shall file the report with the Secretary of the Senate

1 and the Clerk of the House of Representatives. The report
2 shall summarize the activities of the Plan in the preceding
3 calendar year, including net written and earned premiums, the
4 expense of administration, the paid and incurred losses for
5 the year and other information as may be requested by the
6 General Assembly. The report shall also include analysis and
7 recommendations regarding utilization review, quality
8 assurance and access to cost effective quality health care.

9 d. In its plan of operation the board shall:

10 (1) Establish procedures for selecting a plan
11 administrator in accordance with Section 5 of this Act.

12 (2) Establish procedures for the operation of the
13 board.

14 (3) Create a Plan fund, under management of the
15 board, to fund administrative, claim, and other expenses
16 of the Plan.

17 (4) Establish procedures for the handling and
18 accounting of assets and monies of the Plan.

19 (5) Develop and implement a program to publicize
20 the existence of the Plan, the eligibility requirements
21 and procedures for enrollment and to maintain public
22 awareness of the Plan.

23 (6) Establish procedures under which applicants and
24 participants may have grievances reviewed by a grievance
25 committee appointed by the board. The grievances shall
26 be reported to the board immediately after completion of
27 the review. The Department and the board shall retain
28 all written complaints regarding the Plan for at least 3
29 years. Oral complaints shall be reduced to written form
30 and maintained for at least 3 years.

31 (7) Provide for other matters as may be necessary
32 and proper for the execution of its powers, duties and
33 obligations under the Plan.

34 e. No later than 5 years after the Plan is operative the

1 board and the Department shall conduct cooperatively a study
2 of the Plan and the persons insured by the Plan to determine:
3 (1) claims experience including a breakdown of medical
4 conditions for which claims were paid; (2) whether
5 availability of the Plan affected employment opportunities
6 for participants; (3) whether availability of the Plan
7 affected the receipt of medical assistance benefits by Plan
8 participants; (4) whether a change occurred in the number of
9 personal bankruptcies due to medical or other health related
10 costs; (5) data regarding all complaints received about the
11 Plan including its operation and services; (6) and any other
12 significant observations regarding utilization of the Plan.
13 The study shall culminate in a written report to be presented
14 to the Governor, the President of the Senate, the Speaker of
15 the House and the chairpersons of the House and Senate
16 Insurance Committees. The report shall be filed with the
17 Secretary of the Senate and the Clerk of the House of
18 Representatives. The report shall also be available to
19 members of the general public upon request.

20 f. The board may:

21 (1) Prepare and distribute certificate of
22 eligibility forms and enrollment instruction forms to
23 insurance producers and to the general public in this
24 State.

25 (2) Provide for reinsurance of risks incurred by
26 the Plan and enter into reinsurance agreements with
27 insurers to establish a reinsurance plan for risks of
28 coverage described in the Plan, or obtain commercial
29 reinsurance to reduce the risk of loss through the Plan.

30 (3) Issue additional types of health insurance
31 policies to provide optional coverages as are otherwise
32 permitted by this Act including a Medicare supplement
33 policy designed to supplement Medicare.

34 (4) Provide for and employ cost containment

1 measures and requirements including, but not limited to,
2 preadmission certification, second surgical opinion,
3 concurrent utilization review programs, and individual
4 case management for the purpose of making the pool more
5 cost effective.

6 (5) Design, utilize, contract, or otherwise arrange
7 for the delivery of cost effective health care services,
8 including establishing or contracting with preferred
9 provider organizations, health maintenance organizations,
10 and other limited network provider arrangements.

11 (6) Adopt bylaws, rules, regulations, policies and
12 procedures as may be necessary or convenient for the
13 implementation of the Act and the operation of the Plan.

14 (7) Administer separate pools, separate accounts,
15 or other plans or arrangements as required by this Act to
16 separate federally eligible individuals or groups of
17 federally eligible individuals who qualify for plan
18 coverage under Section 15 of this Act from eligible
19 persons or groups of eligible persons who qualify for
20 plan coverage under Section 7 of this Act and apportion
21 the costs of the administration among such separate
22 pools, separate accounts, or other plans or arrangements.

23 g. The Director may, by rule, establish additional
24 powers and duties of the board and may adopt rules for any
25 other purposes, including the operation of the Plan, as are
26 necessary or proper to implement this Act.

27 h. The board is not liable for any obligation of the
28 Plan. There is no liability on the part of any member or
29 employee of the board or the Department, and no cause of
30 action of any nature may arise against them, for any action
31 taken or omission made by them in the performance of their
32 powers and duties under this Act, unless the action or
33 omission constitutes willful or wanton misconduct. The board
34 may provide in its bylaws or rules for indemnification of,

1 and legal representation for, its members and employees.

2 i. There is no liability on the part of any insurance
3 producer for the failure of any applicant to be accepted by
4 the Plan unless the failure of the applicant to be accepted
5 by the Plan is due to an act or omission by the insurance
6 producer which constitutes willful or wanton misconduct.

7 (Source: P.A. 92-597, eff. 6-28-02.)

8 Section 220-5. The Public Utilities Act is amended by
9 changing Sections 2-101 and 2-105 as follows:

10 (220 ILCS 5/2-101) (from Ch. 111 2/3, par. 2-101)

11 Sec. 2-101. Commerce Commission created. There is
12 created an Illinois Commerce Commission consisting of 5
13 members not more than 3 of whom shall be members of the same
14 political party at the time of appointment. The Governor
15 shall appoint the members of such Commission by and with the
16 advice and consent of the Senate. In case of a vacancy in
17 such office during the recess of the Senate the Governor
18 shall make a temporary appointment until the next meeting of
19 the Senate, when he shall nominate some person to fill such
20 office; and any person so nominated who is confirmed by the
21 Senate, shall hold his office during the remainder of the
22 term and until his successor shall be appointed and
23 qualified. Each member of the Commission shall hold office
24 for a term of 5 years from the third Monday in January of the
25 year in which his predecessor's term expires.

26 Notwithstanding any other provision of this Section, the
27 term of each member of the Commission who was appointed by
28 the Governor and is in office on June 30, 2003 shall
29 terminate at the close of business on that date or when all
30 of the successor members to be appointed pursuant to this
31 amendatory Act of the 93rd General Assembly have been
32 appointed by the Governor, whichever occurs later. As soon

1 as possible, the Governor shall appoint persons to fill the
2 vacancies created by this amendatory Act.

3 ~~Notwithstanding any provision of this Section to the~~
4 ~~contrary, the term of office of each member of the Commission~~
5 ~~is terminated on the effective date of this amendatory Act of~~
6 ~~1995, but the incumbent members shall continue to exercise~~
7 ~~all of the powers and be subject to all of the duties of~~
8 ~~members of the Commission until their respective successors~~
9 ~~are appointed and qualified.~~

10 Of the members initially appointed under the provisions
11 of this amendatory Act of the 93rd General Assembly 1995, one
12 member shall be appointed for a term of office which shall
13 expire on the third Monday of January, 2004 1997; one member
14 ~~2-members~~ shall be appointed for a term terms of office which
15 shall expire on the third Monday of January, 2005 1998; one
16 member shall be appointed for a term of office which shall
17 expire on the third Monday of January, 2006 1999; one member
18 shall be appointed for a term of office which shall expire on
19 the third Monday of January, 2007; and one member shall be
20 appointed for a term of office which shall expire on the
21 third Monday of January, 2008 2000. Each respective
22 successor shall be appointed for a term of 5 years from the
23 third Monday of January of the year in which his
24 predecessor's term expires in accordance with the provisions
25 of the first paragraph of this Section.

26 Each member shall serve until his successor is appointed
27 and qualified, except that if the Senate refuses to consent
28 to the appointment of any member, such office shall be deemed
29 vacant, and within 2 weeks of the date the Senate refuses to
30 consent to the reappointment of any member, such member shall
31 vacate such office. The Governor shall from time to time
32 designate the member of the Commission who shall be its
33 chairman. Consistent with the provisions of this Act, the
34 Chairman shall be the chief executive officer of the

1 Commission for the purpose of ensuring that the Commission's
2 policies are properly executed.

3 If there is no vacancy on the Commission, 4 members of
4 the Commission shall constitute a quorum to transact
5 business; otherwise, a majority of the Commission shall
6 constitute a quorum to transact business, and no vacancy
7 shall impair the right of the remaining commissioners to
8 exercise all of the powers of the Commission. Every finding,
9 order, or decision approved by a majority of the members of
10 the Commission shall be deemed to be the finding, order, or
11 decision of the Commission.

12 (Source: P.A. 92-22, eff. 6-30-01.)

13 (220 ILCS 5/2-105) (from Ch. 111 2/3, par. 2-105)

14 Sec. 2-105. Organization; executive director; assistants
15 to Commissioners.

16 (a) The Commission shall have an executive director, who
17 shall be appointed by the Governor without the advice and
18 consent of the Senate. The salary and duties of the
19 executive director shall be fixed by the Commission.
20 Notwithstanding any other provision of this Section, the
21 employment of the executive director who is serving on June
22 30, 2003 shall terminate at the close of business on that
23 date or upon the appointment of a successor executive
24 director by the Governor, whichever occurs later.

25 ~~In order that the Commission may perform the duties and~~
26 ~~exercise the powers granted to it and assume its~~
27 ~~responsibilities under this Act and any and all other~~
28 ~~statutes of this State, the Commission, acting jointly, shall~~
29 ~~hire an executive director who shall be responsible to the~~
30 ~~Commission and shall serve subject only to removal by the~~
31 ~~Commission for good cause.~~

32 The executive director shall be responsible for the
33 supervision and direction of the Commission staff and for the

1 necessary administrative activities of the Commission,
2 subject only to Commission direction and approval. In
3 furtherance thereof, the executive director may organize the
4 Commission staff into such departments, bureaus, sections, or
5 divisions as he may deem necessary or appropriate. In
6 connection therewith, the executive director may delegate and
7 assign to one or more staff member or members the supervision
8 and direction of any such department, bureau, section, or
9 division.

10 (b) The executive director shall obtain, subject to the
11 provisions of the Personnel Code, such accountants,
12 engineers, experts, inspectors, clerks, and employees as may
13 be necessary to carry out the provisions of this Act or to
14 perform the duties and exercise the powers conferred by law
15 upon the Commission. All accountants, engineers, experts,
16 inspectors, clerks, and employees of the Commission shall
17 receive the compensation fixed by the Executive Director,
18 subject only to Commission approval. Notwithstanding these
19 provisions, each commissioner shall have the authority to
20 retain up to 2 full-time assistants, subject to the
21 provisions of the Personnel Code, who shall be supervised by
22 the commissioner and whose compensation shall be fixed by the
23 commissioner.

24 (c) The commissioners, executive director, hearing
25 examiners, accountants, engineers, clerks, inspectors,
26 experts, and other employees shall have reimbursed to them
27 all actual and necessary traveling and other expenses and
28 disbursements necessarily incurred or made by them in the
29 discharge of their official duties. The Commission and
30 executive director may also incur necessary expenses for
31 office furniture, stationery, printing, and other incidental
32 expenses.

33 (d) A copy of any contract executed between the
34 Commission and the executive director which establishes or

1 provides for the expenditure of public funds shall be filed
2 with the State Comptroller within 15 days of execution and
3 shall be available for public inspection. Any cancellation
4 or modification of any such contract shall be filed with the
5 State Comptroller within 15 days of execution and shall be
6 available for public inspection. When a contract or
7 modification required to be filed under this subsection has
8 not been filed within 30 days of execution, the State
9 Comptroller shall refuse to issue any warrant for payment
10 thereunder until the Commission files the contract or
11 modification with the State Comptroller.

12 (Source: P.A. 89-429, eff. 12-15-95.)

13 (220 ILCS 40/Act rep.)

14 Section 220-40. The Small Business Utility Advocate is
15 abolished and the Small Business Utility Advocate Act is
16 repealed.

17 Section 225-2. The Acupuncture Practice Act is amended
18 by changing Section 35 as follows:

19 (225 ILCS 2/35)

20 (Section scheduled to be repealed on January 1, 2008)

21 Sec. 35. Board of Acupuncture. The Director shall
22 appoint a Board of Acupuncture to consist of 7 persons who
23 shall be appointed by and shall serve in an advisory capacity
24 to the Director. Four members must hold an active license to
25 engage in the practice of acupuncture in this State, one
26 member shall be a chiropractic physician licensed under the
27 Medical Practice Act of 1987 who is actively engaged in the
28 practice of acupuncture, one member shall be a physician
29 licensed to practice medicine in all of its branches in
30 Illinois, and one member must be a member of the public who
31 is not licensed under this Act or a similar Act of another

1 jurisdiction and who has no connection with the profession.
2 The initial appointees who would otherwise be required to be
3 licensed acupuncturists shall instead be individuals who have
4 been practicing acupuncture for at least 5 years and who are
5 eligible under this Act for licensure as acupuncturists.

6 Members shall serve 4-year terms and until their
7 successors are appointed and qualified, except that of the
8 initial appointments, one member shall be appointed to serve
9 for 1 year, 2 members shall be appointed to serve for 2
10 years, 2 members shall be appointed to serve for 3 years, and
11 2 members shall be appointed to serve for 4 years and until
12 their successors are appointed and qualified. No member
13 shall be reappointed to the Board for a term that would cause
14 his or her continuous service on the Board to be longer than
15 8 consecutive years. Appointments to fill vacancies shall be
16 made in the same manner as original appointments for the
17 unexpired portion of the vacated term. Initial terms shall
18 begin upon the effective date of this amendatory Act of 1997.

19 The Board shall annually elect a chairperson and a
20 vice-chairperson who shall preside in the absence of the
21 chairperson. The membership of the Board should reasonably
22 reflect representation from the geographic areas in this
23 State. The Director may terminate the appointment of any
24 member for cause. The Director may give due consideration to
25 all recommendations of the Board. A majority of the Board
26 members currently appointed shall constitute a quorum. A
27 vacancy in the membership of the Board shall not impair the
28 right of a quorum to exercise the right and perform all the
29 duties of the Board. Members of the Board shall have no
30 liability in any action based upon any disciplinary
31 proceeding or other activity performed in good faith as a
32 member of the Board.

33 Members of the Board shall receive no compensation for
34 their service, but may be reimbursed for reasonable and

1 necessary expenses incurred in the course of that service.

2 A member of the Board who experiences a significant
3 financial hardship due to the loss of income on days of
4 attendance at meetings or while otherwise engaged in the
5 business of the Board may be paid a hardship allowance, as
6 determined by and subject to the approval of the Governor's
7 Travel Control Board.

8 (Source: P.A. 89-706, eff. 1-31-97; 90-61, eff. 7-3-97.)

9 Section 225-5. The Illinois Athletic Trainers Practice
10 Act is amended by changing Section 6 as follows:

11 (225 ILCS 5/6) (from Ch. 111, par. 7606)

12 (Section scheduled to be repealed on January 1, 2006)

13 Sec. 6. Athletic Training Board; appointment;
14 membership; term; duties. The Director shall appoint an
15 Illinois Board of Athletic Trainers as follows: 6 persons who
16 shall be appointed by and shall serve in an advisory capacity
17 to the Director. Two members must be licensed physicians; 3
18 members must be registered athletic trainers in good
19 standing, and actively engaged in the practice of athletic
20 training in this State; and 1 member must be a public member
21 who is not registered under this Act, or a similar Act of
22 another jurisdiction, and is not a provider of athletic
23 health care service.

24 Members shall serve 4 year terms and until their
25 successors are appointed and qualified except that of the
26 initial appointments, 1 member shall be appointed to serve
27 for one year, 2 shall be appointed to serve for 2 years, 2
28 shall be appointed to serve for 3 years, and the remaining
29 one, who shall be the public member, shall be appointed to
30 serve for 4 years, and until their successors are appointed
31 and qualified. No member shall be reappointed to the Board
32 for more than 2 terms. Appointments to fill vacancies shall

1 be made in the same manner as original appointments, for the
2 unexpired portion of the vacated term. Initial terms shall
3 begin upon the effective date of this Act.

4 The membership of the Board should reasonably reflect
5 representation from the geographic areas in this State.

6 Members of the Board shall receive no compensation for
7 their service, but may be reimbursed for reasonable and
8 necessary expenses incurred in the course of that service.

9 A member of the Board who experiences a significant
10 financial hardship due to the loss of income on days of
11 attendance at meetings or while otherwise engaged in the
12 business of the Board may be paid a hardship allowance, as
13 determined by and subject to the approval of the Governor's
14 Travel Control Board.

15 The Director may terminate the appointment of any member
16 for cause which in the opinion of the Director reasonably
17 justifies such termination.

18 The Director shall consider the recommendation of the
19 Board on questions involving standards of professional
20 conduct, discipline, and qualifications of candidates and
21 license holders under this Act.

22 (Source: P.A. 91-827, eff. 6-13-00.)

23 Section 225-15. The Clinical Psychologist Licensing Act
24 is amended by changing Section 7 as follows:

25 (225 ILCS 15/7) (from Ch. 111, par. 5357)

26 (Section scheduled to be repealed on January 1, 2007)

27 Sec. 7. Board. The Director shall appoint a Board that
28 shall serve in an advisory capacity to the Director.

29 The Board shall consist of 7 persons, 4 of whom are
30 licensed clinical psychologists, and actively engaged in the
31 practice of clinical psychology, 2 of whom are licensed
32 clinical psychologists and are full time faculty members of

1 accredited colleges or universities who are engaged in
2 training clinical psychologists, and one of whom is a public
3 member who is not a licensed health care provider. In
4 appointing members of the Board, the Director shall give due
5 consideration to the adequate representation of the various
6 fields of health care psychology such as clinical psychology,
7 school psychology and counseling psychology. In appointing
8 members of the Board, the Director shall give due
9 consideration to recommendations by members of the profession
10 of clinical psychology and by the State-wide organizations
11 representing the interests of clinical psychologists and
12 organizations representing the interests of academic programs
13 as well as recommendations by approved doctoral level
14 psychology programs in the State of Illinois. The members
15 shall be appointed for a term of 4 years. No member shall be
16 eligible to serve for more than 2 full terms. Any
17 appointment to fill a vacancy shall be for the unexpired
18 portion of the term. A member appointed to fill a vacancy
19 shall be eligible for reappointment to only one full term.
20 The Director may remove any member for cause at any time
21 prior to the expiration of his or her term.

22 The Board shall annually elect one of its members as
23 chairperson and vice chairperson.

24 The members of the Board shall receive no compensation
25 for their services, but shall be reimbursed for all
26 authorized legitimate and necessary expenses incurred in
27 attending the meetings of the Board. A member of the Board
28 who experiences a significant financial hardship due to the
29 loss of income on days of attendance at meetings or while
30 otherwise engaged in the business of the Board may be paid a
31 hardship allowance, as determined by and subject to the
32 approval of the Governor's Travel Control Board.

33 The Director shall give due consideration to all
34 recommendations of the Board. In the event the Director

1 disagrees with or takes action contrary to the recommendation
2 of the Board, he or she shall provide the Board with a
3 written and specific explanation of his or her actions.

4 A majority of the Board members currently appointed shall
5 constitute a quorum. A vacancy in the membership of the
6 Board shall not impair the right of a quorum to perform all
7 of the duties of the Board.

8 Members of the Board shall have no liability in any
9 action based upon any disciplinary proceeding or other
10 activity performed in good faith as a member of the Board.

11 The Director may terminate the appointment of any member
12 for cause which in the opinion of the Director reasonably
13 justifies such termination.

14 (Source: P.A. 89-702, eff. 7-1-97.)

15 Section 225-20. The Clinical Social Work and Social Work
16 Practice Act is amended by changing Section 6 as follows:

17 (225 ILCS 20/6) (from Ch. 111, par. 6356)

18 (Section scheduled to be repealed on January 1, 2008)

19 Sec. 6. Social Work Examining and Disciplinary Board.

20 (1) The Director shall appoint a Social Work Examining
21 and Disciplinary Board consisting of 9 persons who shall
22 serve in an advisory capacity to the Director. The Board
23 shall be composed of 5 licensed clinical social workers, one
24 of whom shall be a certified school social worker, one of
25 whom shall be employed in the private not-for-profit sector
26 and one of whom shall serve as the chairperson, two licensed
27 social workers, and 2 members of the public who are not
28 regulated under this Act or a similar Act and who clearly
29 represent consumer interests.

30 (2) Members shall serve for a term of 4 years and until
31 their successors are appointed and qualified. No member
32 shall be reappointed if such reappointment would cause that

1 person's service on the Board to be longer than 8 successive
2 years. Appointments to fill vacancies for the unexpired
3 portion of a vacated term shall be made in the same manner as
4 original appointments.

5 (3) The membership of the Board should reasonably
6 reflect representation from different geographic areas of
7 Illinois.

8 (4) The Director may terminate the appointment of any
9 member for cause.

10 (5) The Director shall consider the recommendation of
11 the Board on all matters and questions relating to this Act.

12 (6) The Board is charged with the duties and
13 responsibilities of recommending to the Director the adoption
14 of all policies, procedures and rules which may be required
15 or deemed advisable in order to perform the duties and
16 functions conferred on the Board, the Director and the
17 Department to carry out the provisions of this Act.

18 (7) The Board shall make recommendations on all matters
19 relating to continuing education including the number of
20 hours necessary for license renewal, waivers for those unable
21 to meet such requirements and acceptable course content.
22 Such recommendations shall not impose an undue burden on the
23 Department or an unreasonable restriction on those seeking
24 license renewal.

25 (8) The Board shall annually elect one of its members as
26 chairperson and one as vice chairperson.

27 (9) Members of the Board shall receive no compensation
28 for their service, but shall be reimbursed for all authorized
29 legitimate and necessary expenses incurred in attending the
30 meetings of the Board. A member of the Board who experiences
31 a significant financial hardship due to the loss of income on
32 days of attendance at meetings or while otherwise engaged in
33 the business of the Board may be paid a hardship allowance,
34 as determined by and subject to the approval of the

1 Governor's Travel Control Board.

2 (10) A majority of the Board members currently appointed
3 shall constitute a quorum. A vacancy in the membership of
4 the Board shall not impair the right of a quorum to perform
5 all of the duties of the Board.

6 (11) Members of the Board shall have no liability in an
7 action based upon a disciplinary proceeding or other activity
8 performed in good faith as a member of the Board.

9 (Source: P.A. 90-150, eff. 12-30-97.)

10 Section 225-25. The Illinois Dental Practice Act is
11 amended by changing Section 6 and adding Section 8.2 as
12 follows:

13 (225 ILCS 25/6) (from Ch. 111, par. 2306)

14 (Section scheduled to be repealed on January 1, 2006)

15 Sec. 6. Board of Dentistry - Report By Majority
16 Required. There is created a Board of Dentistry, to be
17 composed of persons designated from time to time by the
18 Director, as follows:

19 Eleven persons, 8 of whom have been dentists for a period
20 of 5 years or more; 2 of whom have been dental hygienists for
21 a period of 5 years or more, and one public member. None of
22 the members shall be employed by or be an officer of any
23 dental college, or dental or dental hygiene department of any
24 institution of learning. The dental hygienists shall not
25 participate in the examination of applicants for licenses to
26 practice dentistry. The public member shall not participate
27 in the examination of applicants for licenses to practice
28 dentistry or dental hygiene. The board shall annually elect
29 a chairman who shall be a dentist.

30 Terms for all members shall be for 4 years. Partial
31 terms over 2 years in length shall be considered as full
32 terms. A member may be reappointed for a successive term,

1 but no member shall serve more than 2 full terms in his or
2 her lifetime.

3 The membership of the Board shall include only residents
4 from various geographic areas of this State and shall include
5 at least some graduates from various institutions of dental
6 education in this State.

7 In making appointments to the Board the Director shall
8 give due consideration to recommendations by organizations of
9 the dental profession in Illinois, including the Illinois
10 State Dental Society and Illinois Dental Hygienists
11 Association, and shall promptly give due notice to such
12 organizations of any vacancy in the membership of the Board.
13 The Director may terminate the appointment of any member for
14 cause which in the opinion of the Director reasonably
15 justifies such termination.

16 A vacancy in the membership of the Board shall not impair
17 the right of a quorum to exercise all the rights and perform
18 all the duties of the Board. Any action to be taken by the
19 Board under this Act may be authorized by resolution at any
20 regular or special meeting, and each such resolution shall
21 take effect immediately. The Board shall meet at least
22 quarterly. The Board may adopt all rules and regulations
23 necessary and incident to its powers and duties under this
24 Act.

25 The members of the Board shall receive no compensation
26 for their service, but shall be reimbursed for ~~shall--each~~
27 ~~receive-as-compensation-a-reasonable-sum-as-determined-by-the~~
28 ~~Director--for--each-day-actually-engaged-in-the-duties-of-the~~
29 ~~office7-~~and all legitimate and necessary expenses expense
30 incurred in attending the meetings of the Board. A member of
31 the Board who experiences a significant financial hardship
32 due to the loss of income on days of attendance at meetings
33 or while otherwise engaged in the business of the Board may
34 be paid a hardship allowance, as determined by and subject to

1 the approval of the Governor's Travel Control Board.

2 Members of the Board shall be immune from suit in any
3 action based upon any disciplinary proceedings or other
4 activities performed in good faith as members of the Board.

5 (Source: P.A. 91-594, eff. 1-1-00.)

6 (225 ILCS 25/8.2 new)

7 Sec. 8.2. Anesthesia Review Panel. Members of any panel
8 created by the Department concerning the administration of
9 anesthesia services shall receive no compensation for their
10 services, but shall be reimbursed for all ordinary and
11 necessary expenses incurred in performing their duties as
12 members. A member of the panel who experiences a significant
13 financial hardship due to the loss of income on days of
14 attendance at meetings or while otherwise engaged in the
15 business of the panel may be paid a hardship allowance, as
16 determined by and subject to the approval of the Governor's
17 Travel Control Board.

18 Section 225-30. The Dietetic and Nutrition Services
19 Practice Act is amended by changing Section 30 as follows:

20 (225 ILCS 30/30) (from Ch. 111, par. 8401-30)

21 (Section scheduled to be repealed on January 1, 2013)

22 (Text of Section before amendment by P.A. 92-642)

23 Sec. 30. Practice Board. The Director shall appoint a
24 Dietetic and Nutrition Services Practice Board as follows:

25 Seven individuals who shall be appointed by and shall
26 serve in an advisory capacity to the Director. Of these 7
27 individuals, 4 members must be licensed under this Act and
28 currently engaged in the practice of dietetics or nutrition
29 services in the State of Illinois and must have been doing so
30 for a minimum of 3 years, 2 of whom shall be licensed
31 dietitians who are not also licensed as nutrition counselors

1 under this Act and 2 of whom shall be licensed nutrition
2 counselors who are not also licensed dietitians under this
3 Act; one member must be a physician licensed to practice
4 medicine in all of its branches; one member must be a
5 licensed professional nurse; and one member must be a public
6 member not licensed under this Act.

7 Members shall serve 3 year terms and until their
8 successors are appointed and qualified, except the terms of
9 the initial appointments. The initial appointments shall be
10 served as follows: 2 members shall be appointed to serve for
11 one year, 2 shall be appointed to serve for 2 years, and the
12 remaining members shall be appointed to serve for 3 years and
13 until their successors are appointed and qualified. No
14 member shall be reappointed to the Board for a term that
15 would cause his or her continuous service on the Board to be
16 longer than 8 years. Appointments to fill vacancies shall be
17 made in the same manner as original appointments, for the
18 unexpired portion of the vacated term. Initial terms shall
19 begin upon the effective date of this Act and Board members
20 in office on that date shall be appointed to specific terms
21 as indicated in this Section.

22 The membership of the Board shall reasonably represent
23 all the geographic areas in this State. Any time there is a
24 vacancy on the Board, any professional association composed
25 of persons licensed under this Act may recommend licensees to
26 fill the vacancy to the Board for the appointment of
27 licensees, the organization representing the largest number
28 of licensed physicians for the appointment of physicians to
29 the Board, and the organization representing the largest
30 number of licensed professional nurses for the appointment of
31 a nurse to the Board.

32 Members of the Board shall receive no compensation for
33 their service, but may be reimbursed for reasonable and
34 necessary expenses incurred in the course of that service.

1 A member of the Board who experiences a significant
2 financial hardship due to the loss of income on days of
3 attendance at meetings or while otherwise engaged in the
4 business of the Board may be paid a hardship allowance, as
5 determined by and subject to the approval of the Governor's
6 Travel Control Board.

7 Members of the Board shall have no liability in any
8 action based upon any disciplinary proceeding or other
9 activity performed in good faith as members of the Board.

10 The Director shall have the authority to remove any
11 member of the Board from office for neglect of any duty
12 required by law or for incompetency or unprofessional or
13 dishonorable conduct.

14 The Director shall consider the recommendation of the
15 Board on questions of standards of professional conduct,
16 discipline, and qualifications of candidates or licensees
17 under this Act.

18 (Source: P.A. 87-784; 87-1000.)

19 (Text of Section after amendment by P.A. 92-642)

20 Sec. 30. Practice Board. The Director shall appoint a
21 Dietitian Nutritionist Practice Board as follows: 7
22 individuals who shall be appointed by and shall serve in an
23 advisory capacity to the Director. Of these 7 individuals, 4
24 members must be licensed under this Act; one member must be a
25 physician licensed to practice medicine in all of its
26 branches; one member must be a licensed professional nurse;
27 and one member must be a public member not licensed under
28 this Act.

29 Members shall serve 3 year terms and until their
30 successors are appointed and qualified, except the terms of
31 the initial appointments. No member shall be reappointed to
32 the Board for a term that would cause his or her continuous
33 service on the Board to be longer than 8 years. Appointments
34 to fill vacancies shall be made in the same manner as

1 original appointments, for the unexpired portion of the
2 vacated term. Initial terms shall begin upon the effective
3 date of this Act and Board members in office on that date
4 shall be appointed to specific terms as indicated in this
5 Section.

6 The membership of the Board shall reasonably represent
7 all the geographic areas in this State. Any time there is a
8 vacancy on the Board, any professional association composed
9 of persons licensed under this Act may recommend licensees to
10 fill the vacancy to the Board for the appointment of
11 licensees, the organization representing the largest number
12 of licensed physicians for the appointment of physicians to
13 the Board, and the organization representing the largest
14 number of licensed professional nurses for the appointment of
15 a nurse to the Board.

16 Members of the Board shall receive no compensation for
17 their service, but may be reimbursed for reasonable and
18 necessary expenses incurred in the course of that service.

19 A member of the Board who experiences a significant
20 financial hardship due to the loss of income on days of
21 attendance at meetings or while otherwise engaged in the
22 business of the Board may be paid a hardship allowance, as
23 determined by and subject to the approval of the Governor's
24 Travel Control Board.

25 Members of the Board shall have no liability in any
26 action based upon any disciplinary proceeding or other
27 activity performed in good faith as members of the Board.

28 The Director shall have the authority to remove any
29 member of the Board from office for neglect of any duty
30 required by law or for incompetency or unprofessional or
31 dishonorable conduct.

32 The Director shall consider the recommendation of the
33 Board on questions of standards of professional conduct,
34 discipline, and qualifications of candidates or licensees

1 under this Act.

2 (Source: P.A. 92-642, eff. 10-31-03.)

3 Section 225-37. The Environmental Health Practitioner
4 Licensing Act is amended by changing Section 18 as follows:

5 (225 ILCS 37/18)

6 (Section scheduled to be repealed on January 1, 2007)

7 Sec. 18. Board of Environmental Health Practitioners.
8 The Board of Environmental Health Practitioners is created
9 and shall exercise its duties as provided in this Act. The
10 Board shall consist of 5 members appointed by the Director.
11 Of the 5 members, 3 shall be environmental health
12 practitioners, one a Public Health Administrator who meets
13 the minimum qualifications for public health personnel
14 employed by full time local health departments as prescribed
15 by the Illinois Department of Public Health and is actively
16 engaged in the administration of a local health department
17 within this State, and one member of the general public. In
18 making the appointments to the Board, the Director shall
19 consider the recommendations of related professional and
20 trade associations including the Illinois Environmental
21 Health Association and the Illinois Public Health Association
22 and of the Director of Public Health. Each of the
23 environmental health practitioners shall have at least 5
24 years of full time employment in the field of environmental
25 health practice before the date of appointment. Each
26 appointee filling the seat of an environmental health
27 practitioner appointed to the Board must be licensed under
28 this Act.

29 The membership of the Board shall reasonably reflect
30 representation from the various geographic areas of the
31 State.

32 A vacancy in the membership of the Board shall not impair

1 the right of a quorum to exercise all the rights and perform
2 all the duties of the Board.

3 The members of the Board shall receive no compensation
4 for their service, but shall be reimbursed for are-entitled
5 ~~to receive as compensation a reasonable sum as determined by~~
6 ~~the Director for each day actually engaged in the duties of~~
7 ~~the office and~~ all legitimate and necessary expenses incurred
8 in attending the meetings of the Board. A member of the Board
9 who experiences a significant financial hardship due to the
10 loss of income on days of attendance at meetings or while
11 otherwise engaged in the business of the Board may be paid a
12 hardship allowance, as determined by and subject to the
13 approval of the Governor's Travel Control Board.

14 Members of the Board shall be immune from suit in any
15 action based upon any disciplinary proceedings or other
16 activities performed in good faith as members of the Board.

17 The Director may remove any member of the Board for any
18 cause that, in the opinion of the Director, reasonably
19 justifies termination.

20 (Source: P.A. 91-724, eff. 6-2-00; 91-798, eff. 7-9-00;
21 92-837, eff. 8-22-02.)

22 Section 225-41. The Funeral Directors and Embalmers
23 Licensing Code is amended by changing Section 15-5 as
24 follows:

25 (225 ILCS 41/15-5) (from Ch. 111, par. 2825)

26 (Section scheduled to be repealed on January 1, 2013)

27 Sec. 15-5. Funeral Directors and Embalmers Licensing and
28 Disciplinary Board. A Funeral Directors and Embalmers
29 Licensing and Disciplinary Board is created and shall consist
30 of 7 persons, 6 of whom are licensed to practice funeral
31 directing and embalming in this State, and one who is a
32 knowledgeable public member. Each member shall be appointed

1 by the Director of the Department. The persons so appointed
2 shall hold their offices for 4 years and until a qualified
3 successor is appointed. All vacancies occurring shall be
4 filled by the Director for the unexpired portion of the term
5 rendered vacant. No member shall be eligible to serve for
6 more than 2 full terms. Any appointee may be removed by the
7 Director when in his or her discretion he or she finds
8 removal to be in the public interest. The cause for removal
9 must be set forth in writing. The Board shall annually select
10 a chairman from its membership. The members of the Board
11 shall receive no compensation for their service, but shall be
12 reimbursed for all legitimate and necessary expenses incurred
13 in attending meetings of the Board. A member of the Board who
14 experiences a significant financial hardship due to the loss
15 of income on days of attendance at meetings or while
16 otherwise engaged in the business of the Board may be paid a
17 hardship allowance, as determined by and subject to the
18 approval of the Governor's Travel Control Board.

19 The Board may meet as often as necessary to perform its
20 duties under this Code, and shall meet at least once a year
21 in Springfield, Illinois.

22 The members of the Board appointed and serving under the
23 Funeral Directors and Embalmers Licensing Act of 1935 shall
24 continue to serve under the Funeral Directors and Embalmers
25 Licensing Code and until the expiration of their appointed
26 terms. These members may be reappointed if eligible under
27 this Section.

28 The Department may seek the advice and recommendations of
29 the Board on any matter relating to the administration and
30 enforcement of this Code.

31 The Department shall seek the advice and recommendations
32 of the Board in connection with any rulemaking or
33 disciplinary actions, including applications for restoration
34 of revoked licenses. The Board shall have 60 days to respond

1 to a Department request for advice and recommendations. If
2 the Department fails to adopt, in whole or in part, a Board
3 recommendation in connection with any rulemaking or
4 disciplinary action, it shall provide a written explanation
5 of its specific reasons for not adopting the Board
6 recommendation. The written explanations shall be made
7 available for public inspection.

8 The Department shall adopt all necessary and reasonable
9 rules and regulations for the effective administration of
10 this Code, and without limiting the foregoing, the Department
11 shall adopt rules and regulations:

12 (1) prescribing a method of examination of
13 candidates;

14 (2) defining what shall constitute a school,
15 college, university, department of a university or other
16 institution to determine the reputability and good
17 standing of these institutions by reference to a
18 compliance with the rules and regulations; however, no
19 school, college, university, department of a university
20 or other institution that refuses admittance to
21 applicants, solely on account of race, color, creed, sex
22 or national origin shall be considered reputable and in
23 good standing;

24 (3) establishing expiration dates and renewal
25 periods for all licenses;

26 (4) prescribing a method of handling complaints and
27 conducting hearings on proceedings to take disciplinary
28 action under this Code; and

29 (5) providing for licensure by reciprocity.

30 (Source: P.A. 91-827, eff. 6-13-00.)

31 Section 225-51. The Home Medical Equipment and Services
32 Provider License Act is amended by changing Section 25 as
33 follows:

1 (225 ILCS 51/25)

2 (Section scheduled to be repealed on January 1, 2008)

3 Sec. 25. Home Medical Equipment and Services Board. The
4 Director shall appoint a Home Medical Equipment and Services
5 Board, in consultation with a state association representing
6 the home medical equipment and services industry, to serve in
7 an advisory capacity to the Director. The Board shall consist
8 of 7 members. Four members shall be home medical equipment
9 and services provider representatives, 2 of whom represent
10 businesses grossing less than \$500,000 per year in revenues,
11 2 of whom represent businesses grossing \$500,000 or more per
12 year in revenues, and at least one of whom shall also be a
13 pharmacy-based provider. The 3 remaining members shall
14 include one home care clinical specialist, one respiratory
15 care practitioner, and one consumer of home medical equipment
16 and services.

17 Members shall serve 4 year terms and until their
18 successors are appointed and qualified, except that of the
19 initial appointments, the consumer member shall be appointed
20 to serve for one year, 2 members shall be appointed to serve
21 for 2 years, 3 members shall be appointed to serve for 3
22 years, and one member who is a home medical equipment and
23 services provider representative shall be appointed to serve
24 for 4 years, and until their successors are appointed and
25 qualified. No member shall be reappointed to the Board for a
26 term that would cause continuous service on the Board to
27 exceed 8 years. Appointments to fill vacancies shall be made
28 in the same manner as original appointments, for the
29 unexpired portion of the vacated term.

30 The home medical equipment and services provider
31 representatives appointed to the Board shall have engaged in
32 the provision of home medical equipment and services or
33 related home care services for at least 3 years prior to
34 their appointment, shall be currently engaged in providing

1 home medical equipment and services in the State of Illinois,
2 and must have no record of convictions related to fraud or
3 abuse under either State or federal law.

4 The membership of the Board should reasonably reflect
5 representation from the geographic areas in this State.

6 The Board shall annually elect one of its members as
7 chairperson and vice chairperson.

8 Members of the Board shall receive no compensation for
9 their service, but as--compensation--a--reasonable--sum--as
10 determined-by-the-Director-for-each-day-actually--engaged--in
11 the--duties--of--the--office, and shall be reimbursed for
12 authorized expenses incurred in performing the duties of the
13 office. A member of the Board who experiences a significant
14 financial hardship due to the loss of income on days of
15 attendance at meetings or while otherwise engaged in the
16 business of the Board may be paid a hardship allowance, as
17 determined by and subject to the approval of the Governor's
18 Travel Control Board.

19 The Director may terminate the appointment of any member
20 for cause which in the opinion of the Director reasonably
21 justifies the termination.

22 Through consultation with members of a state association
23 for the home medical equipment and services industry, the
24 Board may recommend to the Department rules that specify the
25 medical equipment to be included under this Act, that set
26 standards for the licensure, professional conduct, and
27 discipline of entities that provide home medical equipment
28 and services, and that govern the safety and quality of home
29 medical equipment and services. The Director shall consider
30 the recommendations of the Board.

31 Members of the Board shall be immune from suit in an
32 action based upon any disciplinary proceedings or other
33 activities performed in good faith as members of the Board.

34 A majority of Board members currently appointed shall

1 constitute a quorum. A vacancy in the membership of the Board
2 shall not impair the rights of a quorum to exercise the
3 rights and perform all of the duties of the Board.

4 (Source: P.A. 90-532, eff. 11-14-97.)

5 Section 225-55. The Marriage and Family Therapy
6 Licensing Act is amended by changing Section 25 as follows:

7 (225 ILCS 55/25) (from Ch. 111, par. 8351-25)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 25. Marriage and Family Therapy Licensing and
10 Disciplinary Board.

11 (a) There is established within the Department the
12 Marriage and Family Therapy Licensing and Disciplinary Board
13 to be appointed by the Director. The Board shall be composed
14 of 7 persons who shall serve in an advisory capacity to the
15 Director. The Board shall elect a chairperson and a vice
16 chairperson.

17 (b) In appointing members of the Board, the Director
18 shall give due consideration to recommendations by members of
19 the profession of marriage and family therapy and by the
20 statewide organizations solely representing the interests of
21 marriage and family therapists.

22 (c) Five members of the Board shall be marriage and
23 family therapists who have been in active practice for at
24 least 5 years immediately preceding their appointment, or
25 engaged in the education and training of masters, doctoral,
26 or post-doctoral students of marriage and family therapy, or
27 engaged in marriage and family therapy research. Each
28 marriage or family therapy teacher or researcher shall have
29 spent the majority of the time devoted to the study or
30 research of marriage and family therapy during the 2 years
31 immediately preceding his or her appointment to the Board.
32 The appointees shall be licensed under this Act.

1 (d) Two members shall be representatives of the general
2 public who have no direct affiliation or work experience with
3 the practice of marriage and family therapy and who clearly
4 represent consumer interests.

5 (e) Board members shall be appointed for terms of 4
6 years each, except that any person chosen to fill a vacancy
7 shall be appointed only for the unexpired term of the Board
8 member whom he or she shall succeed. Upon the expiration of
9 this term of office, a Board member shall continue to serve
10 until a successor is appointed and qualified. No member shall
11 be reappointed to the Board for a term that would cause
12 continuous service on the Board to be longer than 8 years.

13 (f) The membership of the Board shall reasonably reflect
14 representation from the various geographic areas of the
15 State.

16 (g) Members of the Board shall be immune from suit in
17 any action based upon any disciplinary proceedings or other
18 activities performed in good faith as members of the Board.

19 (h) The Director may remove any member of the Board for
20 any cause that, in the opinion of the Director, reasonably
21 justifies termination.

22 (i) The Director may consider the recommendations of the
23 Board on questions of standards of professional conduct,
24 discipline, and qualification of candidates or licensees
25 under this Act.

26 (j) The members of the Board shall receive no
27 compensation for their service, but shall be reimbursed for
28 all legitimate, necessary, and authorized expenses. A member
29 of the Board who experiences a significant financial hardship
30 due to the loss of income on days of attendance at meetings
31 or while otherwise engaged in the business of the Board may
32 be paid a hardship allowance, as determined by and subject to
33 the approval of the Governor's Travel Control Board.

34 (k) A majority of the Board members currently appointed

1 shall constitute a quorum. A vacancy in the membership of the
2 Board shall not impair the right of a quorum to exercise all
3 the rights and perform all the duties of the Board.

4 (Source: P.A. 90-61, eff. 12-30-97.)

5 Section 225-57. The Massage Licensing Act is amended by
6 changing Section 35 as follows:

7 (225 ILCS 57/35)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 35. Massage Licensing Board.

10 (a) The Director shall appoint a Massage Licensing
11 Board, which shall serve in an advisory capacity to the
12 Director. The Board shall consist of 7 members, of whom 6
13 shall be massage therapists with at least 3 years of
14 experience in massage. One of the massage therapist members
15 shall represent a massage therapy school from the private
16 sector and one of the massage therapist members shall
17 represent a massage therapy school from the public sector.
18 One member of the Board shall be a member of the public who
19 is not licensed under this Act or a similar Act in Illinois
20 or another jurisdiction. Membership on the Board shall
21 reasonably reflect the various massage therapy and non-exempt
22 bodywork organizations. Membership on the Board shall
23 reasonably reflect the geographic areas of the State.

24 (b) Members shall be appointed to a 3-year term, except
25 that initial appointees shall serve the following terms: 2
26 members including the non-voting member shall serve for one
27 year, 2 members shall serve for 2 years, and 3 members shall
28 serve for 3 years. A member whose term has expired shall
29 continue to serve until his or her successor is appointed.
30 No member shall be reappointed to the Board for a term that
31 would cause his or her continuous service on the Board to
32 exceed 9 years. Appointments to fill vacancies shall be made

1 in the same manner as the original appointments for the
2 unexpired portion of the vacated term.

3 (c) The members of the Board shall receive no
4 compensation for their service, but shall be reimbursed are
5 ~~entitled to receive compensation~~ for all legitimate and
6 necessary expenses incurred while attending Board and
7 Department meetings. A member of the Board who experiences a
8 significant financial hardship due to the loss of income on
9 days of attendance at meetings or while otherwise engaged in
10 the business of the Board may be paid a hardship allowance,
11 as determined by and subject to the approval of the
12 Governor's Travel Control Board.

13 (d) Members of the Board shall be immune from suit in
14 any action based upon any disciplinary proceedings or other
15 activities performed in good faith as members of the Board.

16 (e) The Director shall consider the recommendations of
17 the Board on questions involving the standards of
18 professional conduct, discipline, and qualifications of
19 candidates and licensees under this Act. Nothing shall limit
20 the ability of the Board to provide recommendations to the
21 Director in regard to any matter affecting the administration
22 of this Act. The Director shall give due consideration to
23 all recommendations of the Board. If the Director takes
24 action contrary to a recommendation of the Board, the
25 Director shall provide a written explanation of that action.

26 (f) The Director may terminate the appointment of any
27 member for cause which, in the opinion of the Director
28 reasonably justifies termination, which may include, but is
29 not limited to, a Board member who does not attend 2

30 (Source: P.A. 92-860, eff. 6-1-03.)

31 Section 225-60. The Medical Practice Act of 1987 is
32 amended by changing Sections 7 and 8 as follows:

1 (225 ILCS 60/7) (from Ch. 111, par. 4400-7)
2 (Section scheduled to be repealed on January 1, 2007)
3 Sec. 7. Medical Disciplinary Board.

4 (A) There is hereby created the Illinois State Medical
5 Disciplinary Board (hereinafter referred to as the
6 "Disciplinary Board"). The Disciplinary Board shall consist
7 of 9 members, to be appointed by the Governor by and with the
8 advice and consent of the Senate. All shall be residents of
9 the State, not more than 5 of whom shall be members of the
10 same political party. Five members shall be physicians
11 licensed to practice medicine in all of its branches in
12 Illinois possessing the degree of doctor of medicine. Two
13 shall be members of the public, who shall not be engaged in
14 any way, directly or indirectly, as providers of health care.
15 The 2 public members shall act as nonvoting, ex-officio
16 members and shall not be considered in determining the
17 existence, or lack of existence, of a quorum for all purposes
18 for which a quorum may be called pursuant to this Act. One
19 member shall be a physician licensed to practice in Illinois
20 possessing the degree of doctor of osteopathy or osteopathic
21 medicine. One member shall be a physician licensed to
22 practice in Illinois and possessing the degree of doctor of
23 chiropractic.

24 (B) Members of the Disciplinary Board shall be appointed
25 for terms of 4 years. Upon the expiration of the term of any
26 member, their successor shall be appointed for a term of 4
27 years by the Governor by and with the advice and consent of
28 the Senate. The Governor shall fill any vacancy for the
29 remainder of the unexpired term by and with the advice and
30 consent of the Senate. Upon recommendation of the Board, any
31 member of the Disciplinary Board may be removed by the
32 Governor for misfeasance, malfeasance, or wilful neglect of
33 duty, after notice, and a public hearing, unless such notice
34 and hearing shall be expressly waived in writing. Each

1 member shall serve on the Disciplinary Board until their
2 successor is appointed and qualified. No member of the
3 Disciplinary Board shall serve more than 2 consecutive 4 year
4 terms.

5 In making appointments the Governor shall attempt to
6 insure that the various social and geographic regions of the
7 State of Illinois are properly represented.

8 In making the designation of persons to act for the
9 several professions represented on the Disciplinary Board,
10 the Governor shall give due consideration to recommendations
11 by members of the respective professions and by organizations
12 therein.

13 (C) The Disciplinary Board shall annually elect one of
14 its voting members as chairperson and one as vice
15 chairperson. No officer shall be elected more than twice in
16 succession to the same office. Each officer shall serve
17 until their successor has been elected and qualified.

18 (D) (Blank).

19 (E) Four voting members of the Disciplinary Board shall
20 constitute a quorum. A vacancy in the membership of the
21 Disciplinary Board shall not impair the right of a quorum to
22 exercise all the rights and perform all the duties of the
23 Disciplinary Board. Any action taken by the Disciplinary
24 Board under this Act may be authorized by resolution at any
25 regular or special meeting and each such resolution shall
26 take effect immediately. The Disciplinary Board shall meet
27 at least quarterly. The Disciplinary Board is empowered to
28 adopt all rules and regulations necessary and incident to the
29 powers granted to it under this Act.

30 (F) Members shall receive no compensation for their
31 service, but Each--member₇--and--member-officer₇--of--the
32 Disciplinary-Board-shall-receive-a-per-diem--stipend--as--the
33 Director--of--the--Department₇--hereinafter-referred-to-as-the
34 Director₇--shall-determine.--The-Director-shall-also-determine

1 the-per--diem--stipend--that--each--ex-officie--member--shall
2 receive.---Each-member shall be paid their necessary expenses
3 while engaged in the performance of their duties. A member of
4 the Board who experiences a significant financial hardship
5 due to the loss of income on days of attendance at meetings
6 or while otherwise engaged in the business of the Board may
7 be paid a hardship allowance, as determined by and subject to
8 the approval of the Governor's Travel Control Board.

9 (G) The Director shall select a Chief Medical
10 Coordinator and a Deputy Medical Coordinator who shall not be
11 members of the Disciplinary Board. Each medical coordinator
12 shall be a physician licensed to practice medicine in all of
13 its branches, and the Director shall set their rates of
14 compensation. The Director shall assign one medical
15 coordinator to a region composed of Cook County and such
16 other counties as the Director may deem appropriate, and such
17 medical coordinator shall locate their office in Chicago.
18 The Director shall assign the remaining medical coordinator
19 to a region composed of the balance of counties in the State,
20 and such medical coordinator shall locate their office in
21 Springfield. Each medical coordinator shall be the chief
22 enforcement officer of this Act in their assigned region and
23 shall serve at the will of the Disciplinary Board.

24 The Director shall employ, in conformity with the
25 Personnel Code, not less than one full time investigator for
26 every 5000 physicians licensed in the State. Each
27 investigator shall be a college graduate with at least 2
28 years' investigative experience or one year advanced medical
29 education. Upon the written request of the Disciplinary
30 Board, the Director shall employ, in conformity with the
31 Personnel Code, such other professional, technical,
32 investigative, and clerical help, either on a full or
33 part-time basis as the Disciplinary Board deems necessary for
34 the proper performance of its duties.

1 (H) Upon the specific request of the Disciplinary Board,
2 signed by either the chairman, vice chairman, or a medical
3 coordinator of the Disciplinary Board, the Department of
4 Human Services or the Department of State Police shall make
5 available any and all information that they have in their
6 possession regarding a particular case then under
7 investigation by the Disciplinary Board.

8 (I) Members of the Disciplinary Board shall be immune
9 from suit in any action based upon any disciplinary
10 proceedings or other acts performed in good faith as members
11 of the Disciplinary Board.

12 (J) The Disciplinary Board may compile and establish a
13 statewide roster of physicians and other medical
14 professionals, including the several medical specialties, of
15 such physicians and medical professionals, who have agreed to
16 serve from time to time as advisors to the medical
17 coordinators. Such advisors shall assist the medical
18 coordinators in their investigations and participation in
19 complaints against physicians. Such advisors shall serve
20 under contract and shall be reimbursed at a reasonable rate
21 for the services provided, plus reasonable expenses incurred.
22 While serving in this capacity, the advisor, for any act
23 undertaken in good faith and in the conduct of their duties
24 under this Section, shall be immune from civil suit.

25 (Source: P.A. 89-507, eff. 7-1-97; 89-702, eff. 7-1-97.)

26 (225 ILCS 60/8) (from Ch. 111, par. 4400-8)

27 (Section scheduled to be repealed on January 1, 2007)

28 Sec. 8. Medical Licensing Board.

29 (A) There is hereby created a Medical Licensing Board
30 (hereinafter referred to as the "Licensing Board"). The
31 Licensing Board shall be composed of 7 members, to be
32 appointed by the Governor by and with the advice and consent
33 of the Senate; 5 of whom shall be reputable physicians

1 licensed to practice medicine in all of its branches in
2 Illinois, possessing the degree of doctor of medicine; one
3 member shall be a reputable physician licensed in Illinois to
4 practice medicine in all of its branches, possessing the
5 degree of doctor of osteopathy or osteopathic medicine; and
6 one member shall be a reputable physician licensed to
7 practice in Illinois and possessing the degree of doctor of
8 chiropractic. Of the 5 members holding the degree of doctor
9 of medicine, one shall be a full-time or part-time teacher of
10 professorial rank in the clinical department of an Illinois
11 school of medicine.

12 (B) Members of the Licensing Board shall be appointed
13 for terms of 4 years, and until their successors are
14 appointed and qualified. Appointments to fill vacancies
15 shall be made in the same manner as original appointments,
16 for the unexpired portion of the vacated term. No more than
17 4 members of the Licensing Board shall be members of the same
18 political party and all members shall be residents of this
19 State. No member of the Licensing Board may be appointed to
20 more than 2 successive 4 year terms. This limitation shall
21 only apply to individuals appointed to the Licensing Board
22 after the effective date of this Act.

23 (C) Members of the Licensing Board shall be immune from
24 suit in any action based upon any licensing proceedings or
25 other acts performed in good faith as members of the
26 Licensing Board.

27 (D) (Blank).

28 (E) The Licensing Board shall annually elect one of its
29 members as chairperson and one as vice chairperson. No
30 member shall be elected more than twice in succession to the
31 same office. Each officer shall serve until their successor
32 has been elected and qualified.

33 (F) None of the functions, powers or duties of the
34 Department with respect to policies regarding licensure and

1 examination under this Act, including the promulgation of
2 such rules as may be necessary for the administration of this
3 Act, shall be exercised by the Department except upon review
4 of the Licensing Board.

5 (G) Members shall receive no compensation for their
6 service, but shall be reimbursed for their necessary expenses
7 while engaged in the performance of their duties. A member
8 of the Board who experiences a significant financial hardship
9 due to the loss of income on days of attendance at meetings
10 or while otherwise engaged in the business of the Board may
11 be paid a hardship allowance, as determined by and subject to
12 the approval of the Governor's Travel Control Board. The
13 ~~Licensing--Board--shall--receive--the--same--compensation--as--the~~
14 ~~members--of--the--Medical--Disciplinary--Board, which compensation~~
15 ~~shall--be--paid--out--of--the--Illinois--State--Medical--Disciplinary~~
16 ~~Fund.~~

17 (Source: P.A. 89-702, eff. 7-1-97.)

18 Section 225-63. The Naprapathic Practice Act is amended
19 by changing Section 50 as follows:

20 (225 ILCS 63/50)

21 (Section scheduled to be repealed on January 1, 2013)

22 Sec. 50. Naprapathic Examining Committee. The Director
23 shall appoint a Naprapathic Examining Committee to consist of
24 7 persons who shall be appointed by and shall serve in an
25 advisory capacity to the Director. Five members must hold an
26 active license to engage in the practice of naprapathy in
27 this State, one member shall be a physician licensed to
28 practice medicine in all of its branches in Illinois, and one
29 member must be a member of the public who is not licensed
30 under this Act or a similar Act of another jurisdiction or
31 has no connection with the profession. Neither the public
32 member nor the physician member shall participate in the

1 preparation or administration of the examination of
2 applicants for licensure.

3 Members shall serve 4 year terms and until their
4 successors are appointed and qualified. No member shall be
5 reappointed to the Committee for a term that would cause his
6 or her continuous service on the Committee to be longer than
7 8 consecutive years. Appointments to fill vacancies shall be
8 made in the same manner as original appointments, for the
9 unexpired portion of the vacated term. Initial terms shall
10 begin upon the effective date of this Act. Committee members
11 in office on that date shall be appointed to specific terms
12 as indicated in this Section.

13 The Committee shall annually elect a chairman and a
14 vice-chairman who shall preside in the absence of the
15 chairman.

16 The membership of the Committee should reasonably reflect
17 representation from the geographic areas in this State.

18 Members of the Committee shall receive no compensation
19 for their service, but may be reimbursed for reasonable and
20 necessary expenses incurred in the course of that service.

21 A member of the Committee who experiences a significant
22 financial hardship due to the loss of income on days of
23 attendance at meetings or while otherwise engaged in the
24 business of the Committee may be paid a hardship allowance,
25 as determined by and subject to the approval of the
26 Governor's Travel Control Board.

27 The Director may terminate the appointment of any member
28 for cause.

29 The Director may give due consideration to all
30 recommendations of the Committee.

31 Without limiting the power of the Department to conduct
32 investigations in any manner, the Committee may recommend to
33 the Director that one or more licensed naprapaths be selected
34 by the Director to conduct or assist in any investigation

1 under this Act. A licensed naprapath so selected may receive
2 remuneration as determined by the Director.

3 (Source: P.A. 92-655, eff. 7-16-02.)

4 Section 225-65. The Nursing and Advanced Practice
5 Nursing Act is amended by changing Sections 10-25 and 15-35
6 as follows:

7 (225 ILCS 65/10-25)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 10-25. Board.

10 (a) The Director shall appoint the Board of Nursing
11 which, beginning January 1, 2000, shall be composed of 7
12 registered professional nurses, 2 licensed practical nurses
13 and one public member who shall also be a voting member and
14 who is not a licensed health care provider. Two registered
15 nurses shall hold at least a master's degree in nursing and
16 be educators in professional nursing programs, one
17 representing baccalaureate nursing education, one
18 representing associate degree nursing education; one
19 registered nurse shall hold at least a bachelor's degree with
20 a major in nursing and be an educator in a licensed practical
21 nursing program; one registered nurse shall hold a master's
22 degree in nursing and shall represent nursing service
23 administration; 2 registered nurses shall represent clinical
24 nursing practice, one of whom shall have at least a master's
25 degree in nursing; and, until January 1, 2000, 2 registered
26 nurses shall represent advanced specialty practice. Each of
27 the nurses shall have had a minimum of 5 years experience in
28 nursing, 3 of which shall be in the area they represent on
29 the Board and be actively engaged in the area of nursing they
30 represent at the time of appointment and during their tenure
31 on the Board. Members shall be appointed for a term of 3
32 years. No member shall be eligible for appointment to more

1 than 2 consecutive terms and any appointment to fill a
2 vacancy shall be for the unexpired portion of the term. In
3 making Board appointments, the Director shall give
4 consideration to recommendations submitted by nursing
5 organizations. Consideration shall be given to equal
6 geographic representation.

7 Members of the Board shall receive no compensation for
8 their service, but shall receive actual and necessary
9 expenses incurred in the performance of their duties. A
10 member of the Board who experiences a significant financial
11 hardship due to the loss of income on days of attendance at
12 meetings or while otherwise engaged in the business of the
13 Board may be paid a hardship allowance, as determined by and
14 subject to the approval of the Governor's Travel Control
15 Board.

16 In making the initial appointments, the Director shall
17 appoint all new members for terms of 2, 3, and 4 years and
18 such terms shall be staggered as follows: 3 shall be
19 appointed for terms of 2 years; 3 shall be appointed for
20 terms of 3 years; and 3 shall be appointed for terms of 4
21 years.

22 The Director may remove any member of the Board for
23 misconduct, incapacity, or neglect of duty. The Director
24 shall reduce to writing any causes for removal.

25 The Board shall meet annually to elect a chairperson and
26 vice chairperson. The Board may hold such other meetings
27 during the year as may be necessary to conduct its business.
28 Six voting members of the Board shall constitute a quorum at
29 any meeting. Any action taken by the Board must be on the
30 affirmative vote of 6 members. Voting by proxy shall not be
31 permitted.

32 The Board shall submit an annual report to the Director.

33 The members of the Board shall be immune from suit in any
34 action based upon any disciplinary proceedings or other acts

1 performed in good faith as members of the Board.

2 (b) The Board is authorized to:

3 (1) recommend the adoption and, from time to time,
4 the revision of such rules that may be necessary to carry
5 out the provisions of this Act;

6 (2) conduct hearings and disciplinary conferences
7 upon charges calling for discipline of a licensee as
8 provided in Section 10-45;

9 (3) report to the Department, upon completion of a
10 hearing, the disciplinary actions recommended to be taken
11 against persons violating this Act;

12 (4) recommend the approval, denial of approval,
13 withdrawal of approval, or discipline of nursing
14 education programs;

15 (5) participate in a national organization of state
16 boards of nursing; and

17 (6) recommend a list of the registered nurses to
18 serve as Nursing Act Coordinator and Assistant Nursing
19 Act Coordinator, respectively.

20 (Source: P.A. 90-61, eff. 12-30-97; 90-742, eff. 8-13-98;
21 91-414, eff. 8-6-99.)

22 (225 ILCS 65/15-35)

23 (Section scheduled to be repealed on January 1, 2008)

24 Sec. 15-35. Advanced Practice Nursing Board.

25 (a) There is hereby established an Advanced Practice
26 Nursing Board, hereinafter referred to as the "APN Board".
27 The APN Board shall review and make recommendations to the
28 Department regarding matters relating to licensure and
29 discipline of advanced practice nurses. The APN Board shall
30 be composed of 9 members to be appointed by the Governor, 4
31 of whom shall be advanced practice nurses and 3 of whom shall
32 be physicians licensed to practice medicine in all its
33 branches. The 4 advanced practice nurses shall have

1 collaborative agreements, except that any certified
2 registered nurse anesthetist is not required to have a
3 collaborative agreement. The 3 physicians shall have
4 collaborative agreements, except that an anesthesiologist is
5 not required to have a collaborative agreement. In making
6 appointments to the APN Board, the Governor shall give due
7 consideration to recommendations by statewide professional
8 associations or societies representing nurses and physicians
9 in Illinois. Two members, not employed or having any
10 material interest in any health care field, shall represent
11 the public. The chairperson of the APN Board shall be a
12 member elected by a majority vote of the APN Board. The APN
13 Board shall meet and report to the Department quarterly and
14 as advanced practice nurse issues arise.

15 Initial appointments to the APN Board shall be made
16 within 90 days after the effective date of this amendatory
17 Act of 1998. The terms of office of each of the original
18 members shall be at staggered intervals. One physician and
19 one advanced practice nurse shall serve one-year terms. One
20 physician and one advanced practice nurse shall serve 2-year
21 terms. One physician and one advanced practice nurse shall
22 serve 3-year terms. One advanced practice nurse and the
23 public members shall serve 4-year terms. Upon the expiration
24 of the term of an initial member, his or her successor shall
25 be appointed for a term of 4 years. No member shall serve
26 more than 2 consecutive terms, excluding initial appointment
27 terms. An appointment to fill a vacancy shall be for the
28 unexpired portion of the term. Members of the APN Board
29 shall receive no compensation for their service, but shall be
30 reimbursed for all authorized legitimate and necessary
31 expenses incurred in attending the meetings of the APN Board.
32 A member of the Board who experiences a significant financial
33 hardship due to the loss of income on days of attendance at
34 meetings or while otherwise engaged in the business of the

1 Board may be paid a hardship allowance, as determined by and
2 subject to the approval of the Governor's Travel Control
3 Board.

4 A majority of the APN Board members appointed shall
5 constitute a quorum.

6 A vacancy in the membership of the APN Board shall not
7 impair the right of a quorum to perform all of the duties of
8 the APN Board.

9 A member of the APN Board shall have no liability in an
10 action based upon a disciplinary proceeding or other activity
11 performed in good faith as a member of the APN Board.

12 (b) Complaints received concerning advanced practice
13 nurses shall be reviewed by the APN Board. Complaints
14 received concerning collaborating physicians shall be
15 reviewed by the Medical Disciplinary Board.

16 (Source: P.A. 90-742, eff. 8-13-98; 91-414, eff. 8-6-99.)

17 Section 225-70. The Nursing Home Administrators Licensing
18 and Disciplinary Act is amended by changing Section 5 as
19 follows:

20 (225 ILCS 70/5) (from Ch. 111, par. 3655)

21 (Section scheduled to be repealed on January 1, 2008)

22 Sec. 5. Board.

23 (a) There is hereby created the Nursing Home
24 Administrators Licensing and Disciplinary Board. The Board
25 shall consist of 9 members appointed by the Governor. All
26 shall be residents of the State of Illinois. Three members
27 shall be representatives of the general public. Six members
28 shall be nursing home administrators who for at least 5 years
29 prior to their appointments were licensed under this Act.
30 The public members shall have no responsibility for
31 management or formation of policy of, nor any financial
32 interest in, nursing homes as defined in this Act, nor any

1 other connection with the profession. In appointing licensed
2 nursing home administrators, the Governor shall take into
3 consideration the recommendations of the nursing home
4 professional associations.

5 (b) Members shall be appointed for a term of 4 years by
6 the Governor. The Governor shall fill any vacancy for the
7 remainder of the unexpired term. Any member of the Board may
8 be removed by the Governor for cause. Each member shall
9 serve on the Board until his or her successor is appointed
10 and qualified. No member of the Board shall serve more than
11 2 consecutive 4 year terms.

12 In making appointments the Governor shall attempt to
13 insure that the various geographic regions of the State of
14 Illinois are properly represented.

15 (c) The Board shall annually elect one of its members as
16 chairperson and one as vice chairperson. No officer shall be
17 elected more than twice in succession to the same office.
18 Each officer shall serve until his or her successor has been
19 elected and qualified.

20 (d) A majority of the Board members currently appointed
21 shall constitute a quorum. A vacancy in the membership of the
22 Board shall not impair the right of a quorum to exercise all
23 the rights and perform all the duties of the Board.

24 (e) Members of the Board shall receive no compensation
25 for their service, but ~~Each member and member officer of the~~
26 ~~Board shall receive a per diem stipend as the Director shall~~
27 ~~determine.---~~ Each member shall be paid their necessary
28 expenses while engaged in the performance of their ~~his or her~~
29 duties. A member of the Board who experiences a significant
30 financial hardship due to the loss of income on days of
31 attendance at meetings or while otherwise engaged in the
32 business of the Board may be paid a hardship allowance, as
33 determined by and subject to the approval of the Governor's
34 Travel Control Board.

1 (f) (Blank).

2 (g) (Blank).

3 (h) Members of the Board shall be immune from suit in
4 any action based upon any disciplinary proceedings or other
5 acts performed in good faith as members of the Board.

6 (i) (Blank).

7 (j) The Director shall give due consideration to all
8 recommendations of the Board. If the Director disagrees with
9 or takes action contrary to the recommendation of the Board,
10 he or she shall provide the Board with a written and specific
11 explanation of his or her action.

12 (Source: P.A. 89-507, eff. 7-1-97; 90-61, eff. 12-30-97.)

13 Section 225-75. The Illinois Occupational Therapy
14 Practice Act is amended by changing Section 5 as follows:

15 (225 ILCS 75/5) (from Ch. 111, par. 3705)

16 (Section scheduled to be repealed on December 31, 2003)

17 Sec. 5. The Director shall appoint an Illinois
18 Occupational Therapy Board as follows: 7 persons who shall
19 be appointed by and shall serve in an advisory capacity to
20 the Director. 1 member must be a physician licensed to
21 practice medicine in all of its branches; 3 members must be
22 registered occupational therapists in good standing, and
23 actively engaged in the practice of occupational therapy in
24 this State; 2 members must be certified occupational therapy
25 assistants in good standing and actively engaged in the
26 practice of occupational therapy in this State; and 1 member
27 must be a public member who is not licensed under this Act,
28 or a similar Act of another jurisdiction, and is not a
29 provider of health care service.

30 Members shall serve 4 year terms and until their
31 successors are appointed and qualified. No member shall be
32 appointed under this or any prior Act to the Board for

1 service which would constitute more than 2 full terms.
2 Appointments to fill vacancies shall be made in the same
3 manner as original appointments, for the unexpired portion of
4 the vacated term. Initial terms shall begin upon the
5 effective date of this Act.

6 Members of the Board shall receive no compensation for
7 their service, but may be reimbursed for reasonable and
8 necessary expenses incurred in the course of that service.

9 A member of the Board who experiences a significant
10 financial hardship due to the loss of income on days of
11 attendance at meetings or while otherwise engaged in the
12 business of the Board may be paid a hardship allowance, as
13 determined by and subject to the approval of the Governor's
14 Travel Control Board.

15 The membership of the Board should reasonably reflect
16 representation from the geographic areas in this State.

17 The Director may terminate the appointment of any member
18 for cause which in the opinion of the Director reasonably
19 justifies such termination.

20 The Director shall consider the recommendations of the
21 Board on questions involving standards of professional
22 conduct, discipline and qualifications of candidates and
23 license holders under this Act.

24 (Source: P.A. 88-424.)

25 Section 225-80. The Illinois Optometric Practice Act of
26 1987 is amended by changing Section 11 as follows:

27 (225 ILCS 80/11) (from Ch. 111, par. 3911)

28 (Section scheduled to be repealed on January 1, 2007)

29 Sec. 11. Optometric Licensing and Disciplinary Board.
30 The Director shall appoint an Illinois Optometric Licensing
31 and Disciplinary Board as follows: Seven persons who shall be
32 appointed by and shall serve in an advisory capacity to the

1 Director. Five members must be lawfully and actively engaged
2 in the practice of optometry in this State, one member shall
3 be a licensed optometrist who is a member, with a full-time
4 faculty appointment with the Illinois College of Optometry,
5 and one member must be a member of the public who shall be a
6 voting member and is not licensed under this Act, or a
7 similar Act of another jurisdiction, or have any connection
8 with the profession. Neither the public member nor the
9 faculty member shall participate in the preparation or
10 administration of the examination of applicants for licensure
11 or certification.

12 Members shall serve 4-year terms and until their
13 successors are appointed and qualified. No member shall be
14 appointed to the Board for more than 2 successive 4-year
15 terms, not counting any partial terms when appointed to fill
16 the unexpired portion of a vacated term. Appointments to
17 fill vacancies shall be made in the same manner as original
18 appointments, for the unexpired portion of the vacated term.
19 Initial terms shall begin upon the effective date of this
20 Act. Board members in office on that date may be appointed
21 to specific terms as indicated herein.

22 The Board shall annually elect a chairperson and a
23 vice-chairperson, both of whom shall be licensed
24 optometrists.

25 The membership of the Board should reasonably reflect
26 representation from the geographic areas in this State.

27 Members of the Board shall receive no compensation for
28 their service, but may be reimbursed for reasonable and
29 necessary expenses incurred in the course of that service.

30 A member of the Board who experiences a significant
31 financial hardship due to the loss of income on days of
32 attendance at meetings or while otherwise engaged in the
33 business of the Board may be paid a hardship allowance, as
34 determined by and subject to the approval of the Governor's

1 Travel Control Board.

2 A majority of the Board members currently appointed shall
3 constitute a quorum. A vacancy in the membership of the
4 Board shall not impair the right of a quorum to perform all
5 of the duties of the Board.

6 The Director may terminate the appointment of any member
7 for cause.

8 The Director shall give due consideration to all
9 recommendations of the Board, and in the event that the
10 Director disagrees with or takes action contrary to the
11 recommendation of the Board, he or she shall provide the
12 Board with a written and specific explanation of this action.
13 None of the functions, powers or duties of the Department
14 with respect to policy matters relating to licensure,
15 discipline, and examination, including the promulgation of
16 such rules as may be necessary for the administration of this
17 Act, shall be exercised by the Department except upon review
18 of the Board.

19 Without, in any manner, limiting the power of the
20 Department to conduct investigations, the Board may recommend
21 to the Director that one or more licensed optometrists be
22 selected by the Director to conduct or assist in any
23 investigation pursuant to this Act. Such licensed
24 optometrist may receive remuneration as determined by the
25 Director.

26 (Source: P.A. 91-141, eff. 7-16-99.)

27 Section 225-84. The Orthotics, Prosthetics, and
28 Pedorthics Practice Act is amended by changing Section 25 as
29 follows:

30 (225 ILCS 84/25)

31 (Section scheduled to be repealed on January 1, 2010)

32 Sec. 25. Board of Orthotics, Prosthetics, and

1 Pedorthics.

2 (a) There is established a Board of Orthotics,
3 Prosthetics, and Pedorthics, which shall consist of 6 voting
4 members to be appointed by the Director. Three members shall
5 be practicing licensed orthotists, licensed prosthetists, or
6 licensed pedorthists. These members may be licensed in more
7 than one discipline and their appointments must equally
8 represent all 3 disciplines. One member shall be a member of
9 the public who is a consumer of orthotic, prosthetic, or
10 pedorthic professional services. One member shall be a
11 public member who is not licensed under this Act or a
12 consumer of services licensed under this Act. One member
13 shall be a licensed physician.

14 (b) Each member of the Board shall serve a term of 3
15 years, except that of the initial appointments to the Board,
16 2 members shall be appointed for one year, 2 members shall be
17 appointed for 2 years, and 2 members shall be appointed for 3
18 years. Each member shall hold office and execute his or her
19 Board responsibilities until the qualification and
20 appointment of his or her successor. No member of the Board
21 shall serve more than 8 consecutive years or 2 full terms,
22 whichever is greater.

23 (c) Members of the Board shall receive no compensation
24 for their service, but as-compensation-a-reasonable-sum-as
25 determined-by-the-Director-for-each-day-actually--engaged--in
26 the--duties--of--the--office--and shall be reimbursed for
27 reasonable expenses incurred in performing the duties of the
28 office. A member of the Board who experiences a significant
29 financial hardship due to the loss of income on days of
30 attendance at meetings or while otherwise engaged in the
31 business of the Board may be paid a hardship allowance, as
32 determined by and subject to the approval of the Governor's
33 Travel Control Board.

34 (d) A quorum of the Board shall consist of a majority of

1 Board members currently appointed.

2 (e) The Director may terminate the appointment of any
3 member for cause which, in the opinion of the Director
4 reasonably justifies termination, which may include, but is
5 not limited to, a Board member who does not attend 2
6 consecutive meetings.

7 (f) Membership of the Board should reasonably reflect
8 representation from the geographic areas in this State.

9 (Source: P.A. 91-590, eff. 1-1-00.)

10 Section 225-85. The Pharmacy Practice Act of 1987 is
11 amended by changing Section 10 as follows:

12 (225 ILCS 85/10) (from Ch. 111, par. 4130)

13 (Section scheduled to be repealed on January 1, 2008)

14 (Text of Section before amendment by P.A. 92-880)

15 Sec. 10. State Board of Pharmacy. There is created in the
16 Department the State Board of Pharmacy. It shall consist of
17 9 members, 7 of whom shall be licensed pharmacists. Each of
18 those 7 members must be a licensed pharmacist in good
19 standing in this State, a graduate of an accredited college
20 of pharmacy or hold a Bachelor of Science degree in Pharmacy
21 and have at least 5 years' practical experience in the
22 practice of pharmacy subsequent to the date of his licensure
23 as a licensed pharmacist in the State of Illinois. There
24 shall be 2 public members, who shall be voting members, who
25 shall not be licensed pharmacists in this State or any other
26 state.

27 Each member shall be appointed by the Governor.

28 The terms of all members serving as of March 31, 1999
29 shall expire on that date. The Governor shall appoint 3
30 persons to serve one-year terms, 3 persons to serve 3-year
31 terms, and 3 persons to serve 5-year terms to begin April 1,
32 1999. Otherwise, members shall be appointed to 5 year terms.

1 No member shall be eligible to serve more than 12 consecutive
2 years.

3 In making the appointment of members on the Board, the
4 Governor shall give due consideration to recommendations by
5 the members of the profession of pharmacy and by
6 pharmaceutical organizations therein. The Governor shall
7 notify the pharmaceutical organizations promptly of any
8 vacancy of members on the Board and in appointing members
9 shall give consideration to individuals engaged in all types
10 and settings of pharmacy practice.

11 The Governor may remove any member of the Board for
12 misconduct, incapacity or neglect of duty and he shall be the
13 sole judge of the sufficiency of the cause for removal.

14 Every person appointed a member of the Board shall take
15 and subscribe the constitutional oath of office and file it
16 with the Secretary of State. Members of the Board shall
17 receive no compensation for their service, but Each-member-of
18 the--Board shall be reimbursed for such actual and legitimate
19 expenses as he may incur in going to and from the place of
20 meeting and remaining thereat during sessions of the Board.
21 A member of the Board who experiences a significant financial
22 hardship due to the loss of income on days of attendance at
23 meetings or while otherwise engaged in the business of the
24 Board may be paid a hardship allowance, as determined by and
25 subject to the approval of the Governor's Travel Control
26 Board. In-addition, each-member-of-the-Board-shall-receive-a
27 per-diem-payment-in-an-amount-determined-from-time-to-time-by
28 the-Director-for-attendance-at--meetings--of--the--Board--and
29 conducting-other-official-business-of-the-Board.

30 The Board shall hold quarterly meetings and an annual
31 meeting in January of each year and such other meetings at
32 such times and places and upon such notice as the Board may
33 determine and as its business may require. Five members of
34 the Board shall constitute a quorum for the transaction of

1 business. The Director shall appoint a pharmacy coordinator,
2 who shall be someone other than a member of the Board. The
3 pharmacy coordinator shall be a registered pharmacist in good
4 standing in this State, shall be a graduate of an accredited
5 college of pharmacy, or hold at a minimum a Bachelor of
6 Science degree in Pharmacy and shall have at least 5 years'
7 experience in the practice of pharmacy immediately prior to
8 his appointment. The pharmacy coordinator shall be the
9 executive administrator and the chief enforcement officer of
10 the Pharmacy Practice Act of 1987.

11 The Board shall exercise the rights, powers and duties
12 which have been vested in the Board under this Act, and any
13 other duties conferred upon the Board by law.

14 The Director shall, in conformity with the Personnel
15 Code, employ not less than 7 pharmacy investigators and 2
16 pharmacy supervisors. Each pharmacy investigator and each
17 supervisor shall be a registered pharmacist in good standing
18 in this State, and shall be a graduate of an accredited
19 college of pharmacy and have at least 5 years of experience
20 in the practice of pharmacy. The Department shall also
21 employ at least one attorney who is a pharmacist to prosecute
22 violations of this Act and its rules. The Department may, in
23 conformity with the Personnel Code, employ such clerical and
24 other employees as are necessary to carry out the duties of
25 the Board.

26 The duly authorized pharmacy investigators of the
27 Department shall have the right to enter and inspect during
28 business hours any pharmacy or any other place in the State
29 of Illinois holding itself out to be a pharmacy where
30 medicines or drugs or drug products or proprietary medicines
31 are sold, offered for sale, exposed for sale, or kept for
32 sale. The pharmacy investigators shall be the only
33 Department investigators authorized to inspect, investigate,
34 and monitor probation compliance of pharmacists and

1 pharmacies.

2 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02.)

3 (Text of Section after amendment by P.A. 92-880)

4 Sec. 10. State Board of Pharmacy. There is created in the
5 Department the State Board of Pharmacy. It shall consist of
6 9 members, 7 of whom shall be licensed pharmacists. Each of
7 those 7 members must be a licensed pharmacist in good
8 standing in this State, a graduate of an accredited college
9 of pharmacy or hold a Bachelor of Science degree in Pharmacy
10 and have at least 5 years' practical experience in the
11 practice of pharmacy subsequent to the date of his licensure
12 as a licensed pharmacist in the State of Illinois. There
13 shall be 2 public members, who shall be voting members, who
14 shall not be licensed pharmacists in this State or any other
15 state.

16 Each member shall be appointed by the Governor.

17 The terms of all members serving as of March 31, 1999
18 shall expire on that date. The Governor shall appoint 3
19 persons to serve one-year terms, 3 persons to serve 3-year
20 terms, and 3 persons to serve 5-year terms to begin April 1,
21 1999. Otherwise, members shall be appointed to 5 year terms.
22 No member shall be eligible to serve more than 12 consecutive
23 years.

24 In making the appointment of members on the Board, the
25 Governor shall give due consideration to recommendations by
26 the members of the profession of pharmacy and by
27 pharmaceutical organizations therein. The Governor shall
28 notify the pharmaceutical organizations promptly of any
29 vacancy of members on the Board and in appointing members
30 shall give consideration to individuals engaged in all types
31 and settings of pharmacy practice.

32 The Governor may remove any member of the Board for
33 misconduct, incapacity or neglect of duty and he shall be the
34 sole judge of the sufficiency of the cause for removal.

1 Every person appointed a member of the Board shall take
2 and subscribe the constitutional oath of office and file it
3 with the Secretary of State. Members of the Board shall
4 receive no compensation for their service, but Each-member-of
5 the--Board shall be reimbursed for such actual and legitimate
6 expenses as he may incur in going to and from the place of
7 meeting and remaining thereat during sessions of the Board.
8 A member of the Board who experiences a significant financial
9 hardship due to the loss of income on days of attendance at
10 meetings or while otherwise engaged in the business of the
11 Board may be paid a hardship allowance, as determined by and
12 subject to the approval of the Governor's Travel Control
13 Board. In-addition, each-member-of-the-Board-shall-receive-a
14 per-diem-payment-in-an-amount-determined-from-time-to-time-by
15 the-Director-for-attendance-at--meetings--of--the--Board--and
16 conducting-other-official-business-of-the-Board.

17 The Board shall hold quarterly meetings and an annual
18 meeting in January of each year and such other meetings at
19 such times and places and upon such notice as the Board may
20 determine and as its business may require. Five members of
21 the Board shall constitute a quorum for the transaction of
22 business. The Director shall appoint a pharmacy coordinator,
23 who shall be someone other than a member of the Board. The
24 pharmacy coordinator shall be a registered pharmacist in good
25 standing in this State, shall be a graduate of an accredited
26 college of pharmacy, or hold at a minimum a Bachelor of
27 Science degree in Pharmacy and shall have at least 5 years'
28 experience in the practice of pharmacy immediately prior to
29 his appointment. The pharmacy coordinator shall be the
30 executive administrator and the chief enforcement officer of
31 the Pharmacy Practice Act of 1987.

32 The Board shall exercise the rights, powers and duties
33 which have been vested in the Board under this Act, and any
34 other duties conferred upon the Board by law.

1 The Director shall, in conformity with the Personnel
2 Code, employ not less than 7 pharmacy investigators and 2
3 pharmacy supervisors. Each pharmacy investigator and each
4 supervisor shall be a registered pharmacist in good standing
5 in this State, and shall be a graduate of an accredited
6 college of pharmacy and have at least 5 years of experience
7 in the practice of pharmacy. The Department shall also
8 employ at least one attorney who is a pharmacist to prosecute
9 violations of this Act and its rules. The Department may, in
10 conformity with the Personnel Code, employ such clerical and
11 other employees as are necessary to carry out the duties of
12 the Board.

13 The duly authorized pharmacy investigators of the
14 Department shall have the right to enter and inspect during
15 business hours any pharmacy or any other place in the State
16 of Illinois holding itself out to be a pharmacy where
17 medicines or drugs or drug products or proprietary medicines
18 are sold, offered for sale, exposed for sale, or kept for
19 sale. The pharmacy investigators shall be the only
20 Department investigators authorized to inspect, investigate,
21 and monitor probation compliance of pharmacists, pharmacies,
22 and pharmacy technicians.

23 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02;
24 92-880, eff. 1-1-04.)

25 Section 225-90. The Illinois Physical Therapy Act is
26 amended by changing Section 6 as follows:

27 (225 ILCS 90/6) (from Ch. 111, par. 4256)

28 (Section scheduled to be repealed on January 1, 2006)

29 Sec. 6. Duties and functions of Director and Committee.
30 The Director shall appoint a Physical Therapy Licensing and
31 Disciplinary Committee as follows: Seven persons who shall
32 be appointed by and shall serve in an advisory capacity to

1 the Director. Six members must be actively engaged in the
2 practice of physical therapy in this State for a minimum of 5
3 years and one member must be a member of the public who is
4 not licensed under this Act, or a similar Act of another
5 jurisdiction.

6 Members shall serve 4 year terms and until their
7 successors are appointed and qualified, except that of the
8 initial appointments, 2 members shall be appointed to serve
9 for 2 years, 2 shall be appointed to serve for 3 years and
10 the remaining shall be appointed to serve for 4 years and
11 until their successors are appointed and qualified. No
12 member shall be reappointed to the Committee for a term which
13 would cause his continuous service on the Committee to be
14 longer than 9 successive years. Appointments to fill
15 vacancies shall be made in the same manner as original
16 appointments, for the unexpired portion of the vacated term.
17 Initial terms shall begin upon the effective date of this
18 amendatory Act of 1987 and Committee members in office on
19 that date shall be eligible for appointment to specific terms
20 as indicated herein.

21 For the initial appointment of the Committee, the
22 Director shall give priority to filling the public member
23 terms as vacancies become available.

24 Members of the Committee shall be immune from suit in any
25 action based upon any disciplinary proceedings or other
26 activities performed in good faith as members of the
27 Committee.

28 A vacancy in the membership of the Committee shall not
29 impair the right of a quorum to exercise all the rights and
30 perform all the duties of the Committee.

31 The members of the Committee shall receive no
32 compensation for their service, but shall be reimbursed for
33 are-entitled-to-receive-as-compensation-a-reasonable--sum--as
34 determined--by--the-Director-for-each-day-actually-engaged-in

1 ~~the duties of the office and~~ all legitimate and necessary
2 expenses incurred in attending the meetings of the Committee.
3 A member of the Committee who experiences a significant
4 financial hardship due to the loss of income on days of
5 attendance at meetings or while otherwise engaged in the
6 business of the Committee may be paid a hardship allowance,
7 as determined by and subject to the approval of the
8 Governor's Travel Control Board.

9 The membership of the Committee should reasonably reflect
10 representation from the geographic areas in this State.

11 The Director may terminate the appointment of any member
12 for cause which in the opinion of the Director reasonably
13 justifies such termination.

14 The Director shall consider the recommendations of the
15 Committee on questions involving standards of professional
16 conduct, discipline and qualifications of candidates and
17 licensees under this Act.

18 Nothing shall limit the ability of the Committee to
19 provide recommendations to the Director in regard to any
20 matter affecting the administration of this Act. The Director
21 shall give due consideration to all recommendations of the
22 Committee. If the Director takes action contrary to a
23 recommendation of the Committee, the Director shall promptly
24 provide a written explanation of that action.

25 (Source: P.A. 89-387, eff. 1-1-96.)

26 Section 225-100. The Podiatric Medical Practice Act of
27 1987 is amended by changing Section 7 as follows:

28 (225 ILCS 100/7) (from Ch. 111, par. 4807)

29 (Section scheduled to be repealed on January 1, 2008)

30 Sec. 7. Creation of the Board. The Director shall
31 appoint a Podiatric Medical Licensing Board as follows: 5
32 members must be actively engaged in the practice of podiatric

1 medicine in this State for a minimum of 3 years and one
2 member must be a member of the general public who is not
3 licensed under this Act or a similar Act of another
4 jurisdiction.

5 Members shall serve 3 year terms and serve until their
6 successors are appointed and qualified. No member shall be
7 reappointed to the Board for a term that would cause his or
8 her continuous service on the Board to be longer than 8
9 successive years.

10 A majority of Board members currently appointed shall
11 constitute a quorum. A vacancy in the membership of the Board
12 shall not impair the right of a quorum to exercise the rights
13 and perform all of the duties of the Board.

14 In making appointments to the Board the Director shall
15 give due consideration to recommendations by the Illinois
16 Podiatric Medical Association and shall promptly give due
17 notice to the Illinois Podiatric Medical Association of any
18 vacancy in the membership of the Board.

19 Appointments to fill vacancies shall be made in the same
20 manner as original appointments, for the unexpired portion of
21 the vacated term.

22 The Board shall annually elect a chairperson and
23 vice-chairperson.

24 The membership of the Board should reasonably reflect
25 representation from the geographic areas in this State.

26 Members of the Board shall be immune from suit in any
27 action based upon any disciplinary proceedings or other
28 activities performed in good faith as members of the Board.

29 The members of the Board shall receive no compensation
30 for their service, but shall be reimbursed for each--~~receive~~
31 ~~as--compensation--a--reasonable--sum--as--determined--by--the~~
32 ~~Director--for--each-day-actually-engaged-in-the-duties-of-the~~
33 ~~office,~~ and all legitimate and necessary expenses incurred in
34 attending the meetings of the Board. A member of the Board

1 who experiences a significant financial hardship due to the
2 loss of income on days of attendance at meetings or while
3 otherwise engaged in the business of the Board may be paid a
4 hardship allowance, as determined by and subject to the
5 approval of the Governor's Travel Control Board.

6 The Director may terminate the appointment of any member
7 for cause that in the opinion of the Director reasonably
8 justifies such termination.

9 The Director shall consider the recommendations of the
10 Board on questions involving standards of professional
11 conduct, discipline, and qualifications of candidates and
12 licensees under this Act.

13 Notice of proposed rulemaking shall be transmitted to the
14 Board and the Department shall review the response of the
15 Board and any recommendations made in the response. The
16 Department may, at any time, seek the expert advice and
17 knowledge of the Board on any matter relating to the
18 administration or enforcement of this Act.

19 (Source: P.A. 90-76, eff. 12-30-97.)

20 Section 225-106. The Respiratory Care Practice Act is
21 amended by changing Section 35 as follows:

22 (225 ILCS 106/35)

23 (Section scheduled to be repealed on January 1, 2006)

24 Sec. 35. Respiratory Care Board.

25 (a) The Director shall appoint a Respiratory Care Board
26 which shall serve in an advisory capacity to the Director.
27 The Board shall consist of 9 persons of which 4 members shall
28 be currently engaged in the practice of respiratory care with
29 a minimum of 3 years practice in the State of Illinois, 3
30 members shall be qualified medical directors, and 2 members
31 shall be hospital administrators.

32 (b) Members shall be appointed to a 3-year term; except,

1 initial appointees shall serve the following terms: 3 members
2 shall serve for one year, 3 members shall serve for 2 years,
3 and 3 members shall serve for 3 years. A member whose term
4 has expired shall continue to serve until his or her
5 successor is appointed and qualified. No member shall be
6 reappointed to the Board for a term that would cause his or
7 her continuous service on the Board to be longer than 8
8 years. Appointments to fill vacancies shall be made in the
9 same manner as original appointments for the unexpired
10 portion of the vacated term. Initial terms shall begin upon
11 the effective date of this Act.

12 (c) The membership of the Board shall reasonably
13 represent all the geographic areas in this State. The
14 Director shall consider the recommendations of the
15 organization representing the largest number of respiratory
16 care practitioners for appointment of the respiratory care
17 practitioner members of the Board and the organization
18 representing the largest number of licensed physicians for
19 the appointment of medical directors to the board.

20 (d) The Director has the authority to remove any member
21 of the Board from office for neglect of any duty required by
22 law, for incompetency, or for unprofessional or dishonorable
23 conduct.

24 (e) The Director shall consider the recommendations of
25 the Board on questions involving standards of professional
26 conduct, discipline, and qualifications of candidates for
27 licensure under this Act.

28 (f) The members of the Board shall receive no
29 compensation for their service, but shall be reimbursed for
30 all legitimate and necessary expenses incurred in attending
31 meetings of the Board. A member of the Board who experiences
32 a significant financial hardship due to the loss of income on
33 days of attendance at meetings or while otherwise engaged in
34 the business of the Board may be paid a hardship allowance,

1 as determined by and subject to the approval of the
2 Governor's Travel Control Board.

3 (Source: P.A. 89-33, eff. 1-1-96.)

4 Section 225-107. The Professional Counselor and Clinical
5 Professional Counselor Licensing Act is amended by changing
6 Section 30 as follows:

7 (225 ILCS 107/30) (from Ch. 111, par. 8451-30)

8 (Section scheduled to be repealed on January 1, 2013)

9 Sec. 30. Professional Counselor Examining and
10 Disciplinary Board.

11 (a) The Director shall appoint a Board which shall serve
12 in an advisory capacity to the Director. The Board shall
13 consist of 7 persons, 2 of whom are licensed solely as
14 professional counselors, 3 of whom are licensed solely as
15 clinical professional counselors, one full-time faculty
16 member of an accredited college or university that is engaged
17 in training professional counselors or clinical professional
18 counselors who possesses the qualifications substantially
19 equivalent to the education and experience requirements for a
20 professional counselor or clinical professional counselor,
21 and one member of the public who is not a licensed health
22 care provider. In appointing members of the Board, the
23 Director shall give due consideration to the adequate
24 representation of the various fields of counseling. In
25 appointing members of the Board, the Director shall give due
26 consideration to recommendations by members of the
27 professions of professional counseling and clinical
28 professional counseling, the Statewide organizations
29 representing the interests of professional counselors and
30 clinical professional counselors, organizations representing
31 the interests of academic programs, rehabilitation counseling
32 programs, and approved counseling programs in the State of

1 Illinois.

2 (b) Members shall be appointed for and shall serve 4
3 year terms and until their successors are appointed and
4 qualified, except that of the initial appointments 2 members
5 shall be appointed to serve for 2 years, 2 shall be appointed
6 to serve for 3 years, and the remaining shall be appointed to
7 serve for 4 years and until their successors are appointed
8 and qualified. No member shall be reappointed to the Board
9 for a term that would cause continuous service on the Board
10 to be longer than 8 years. Any appointment to fill a vacancy
11 shall be for the unexpired portion of the term.

12 (c) The membership of the Board should reasonably
13 reflect representation from different geographic areas of
14 Illinois.

15 (d) Any member appointed to fill a vacancy shall be
16 eligible for reappointment to only one full term.

17 (e) The Director may remove any member for cause at any
18 time prior to the expiration of his or her term.

19 (f) The Board shall annually elect one of its members as
20 chairperson.

21 (g) The members of the Board shall receive no
22 compensation for their service, but shall be reimbursed for
23 all legitimate, necessary, and authorized expenses incurred
24 in attending the meetings of the Board. A member of the Board
25 who experiences a significant financial hardship due to the
26 loss of income on days of attendance at meetings or while
27 otherwise engaged in the business of the Board may be paid a
28 hardship allowance, as determined by and subject to the
29 approval of the Governor's Travel Control Board.

30 (h) The Board may make recommendations on matters
31 relating to approving graduate counseling, rehabilitation
32 counseling, psychology, and related programs.

33 (i) The Board may make recommendations on matters
34 relating to continuing education including the number of

1 hours necessary for license renewal, waivers for those unable
2 to meet such requirements, and acceptable course content.
3 These recommendations shall not impose an undue burden on the
4 Department or an unreasonable restriction on those seeking
5 license renewal.

6 (j) The Director shall give due consideration to all
7 recommendations of the Board.

8 (k) A majority of the Board members currently appointed
9 shall constitute a quorum. A vacancy in the membership of the
10 Board shall not impair the right of a quorum to perform all
11 of the duties of the Board.

12 (l) Members of the Board shall have no criminal, civil,
13 or professional liability in an action based upon a
14 disciplinary proceeding or other activity performed in good
15 faith as a member of the Board, except for willful or wanton
16 misconduct.

17 (Source: P.A. 92-719, eff. 7-25-02.)

18 Section 225-110. The Illinois Speech-Language Pathology
19 and Audiology Practice Act is amended by changing Section 5
20 as follows:

21 (225 ILCS 110/5) (from Ch. 111, par. 7905)

22 (Section scheduled to be repealed on January 1, 2008)

23 Sec. 5. Board of Speech-Language Pathology and
24 Audiology. There is created a Board of Speech-Language
25 Pathology and Audiology to be composed of persons designated
26 from time to time by the Director, as follows:

27 (a) Five persons, 2 of whom have been licensed
28 speech-language pathologists for a period of 5 years or
29 more, 2 of whom have been licensed audiologists for a
30 period of 5 years or more, and one public member. The
31 board shall annually elect a chairperson and a
32 vice-chairperson.

1 (b) Terms for all members shall be for 3 years.
2 Partial terms over 2 years in length shall be considered
3 as full terms. A member may be reappointed for a
4 successive term, but no member shall serve more than 2
5 full terms.

6 (c) The membership of the Board should reasonably
7 reflect representation from the various geographic areas
8 of the State.

9 (d) In making appointments to the Board, the
10 Director shall give due consideration to recommendations
11 by organizations of the speech-language pathology and
12 audiology professions in Illinois, including the Illinois
13 Speech-Language-Hearing Association, and shall promptly
14 give due notice to such organizations of any vacancy in
15 the membership of the Board. The Director may terminate
16 the appointment of any member for any cause, which in the
17 opinion of the Director, reasonably justifies such
18 termination.

19 (e) A majority of the Board members currently
20 appointed shall constitute a quorum. A vacancy in the
21 membership of the Board shall not impair the right of a
22 quorum to exercise all the rights and perform all the
23 duties of the Board.

24 (f) The members of the Board shall receive no
25 compensation for their service, but shall be reimbursed
26 for each-receive-as--compensation--a--reasonable--sum--as
27 determined--by-the-Director-for-each-day-actually-engaged
28 in-the-duties-of--the--office, and all legitimate and
29 necessary expenses incurred in attending the meetings of
30 the Board. A member of the Board who experiences a
31 significant financial hardship due to the loss of income
32 on days of attendance at meetings or while otherwise
33 engaged in the business of the Board may be paid a
34 hardship allowance, as determined by and subject to the

1 approval of the Governor's Travel Control Board.

2 (g) Members of the Board shall be immune from suit
3 in any action based upon any disciplinary proceedings or
4 other activities performed in good faith as members of
5 the Board.

6 (h) The Director may consider the recommendations
7 of the Board in establishing guidelines for professional
8 conduct, the conduct of formal disciplinary proceedings
9 brought under this Act, and qualifications of applicants.
10 Notice of proposed rulemaking shall be transmitted to the
11 Board and the Department shall review the response of the
12 Board and any recommendations made in the response. The
13 Department, at any time, may seek the expert advice and
14 knowledge of the Board on any matter relating to the
15 administration or enforcement of this Act.

16 (i) Whenever the Director is satisfied that
17 substantial justice has not been done either in an
18 examination or in the revocation, suspension, or refusal
19 of a license, or other disciplinary action relating to a
20 license, the Director may order a reexamination or
21 rehearing.

22 (Source: P.A. 90-69, eff. 7-8-97.)

23 Section 225-115. The Veterinary Medicine and Surgery
24 Practice Act of 1994 is amended by changing Section 7 as
25 follows:

26 (225 ILCS 115/7) (from Ch. 111, par. 7007)

27 (Section scheduled to be repealed on January 1, 2004)

28 Sec. 7. Veterinarian Licensing and Disciplinary Board.
29 The Director shall appoint a Veterinarian Licensing and
30 Disciplinary Board as follows: 7 persons shall be appointed
31 by and shall serve in an advisory capacity to the Director, 6
32 members must be licensed, in good standing, veterinarians in

1 this State, and must be actively engaged in the practice of
2 veterinary medicine and surgery in this State, and one member
3 must be a member of the public who is not licensed under this
4 Act, or a similar Act of another jurisdiction and who has no
5 connection with the veterinary profession.

6 Members shall serve 4 year terms and until their
7 successors are appointed and qualified, except that of the
8 initial appointments, one member shall be appointed to serve
9 for one year, 2 shall be appointed to serve for 2 years, 2
10 shall be appointed to serve for 3 years, and the remaining,
11 one of which shall be a public member, shall be appointed to
12 serve for 4 years and until their successors are appointed
13 and qualified. No member shall be reappointed to the Board
14 for more than 2 terms. Appointments to fill vacancies shall
15 be made in the same manner as original appointments, for the
16 unexpired portion of the vacated term. Initial terms shall
17 begin upon the effective date of this Act.

18 The membership of the Board should reasonably reflect
19 representation from the geographic areas in this State. The
20 Director shall consider the recommendations made by the State
21 Veterinary Medical Association in making appointments.

22 The Director may terminate the appointment of any member
23 for cause which in the opinion of the Director reasonably
24 justifies such termination.

25 The Board shall annually elect a Chairman who shall be a
26 Veterinarian.

27 The Director shall consider the advice and
28 recommendations of the Board on questions involving standards
29 of professional conduct, discipline and qualifications of
30 candidates and licensees under this Act.

31 Members of the Board shall receive no compensation for
32 their service, but ~~be entitled to receive a per diem at a~~
33 ~~rate set by the Director and~~ shall be reimbursed for all
34 authorized expenses incurred in the exercise of their duties.

1 A member of the Board who experiences a significant financial
2 hardship due to the loss of income on days of attendance at
3 meetings or while otherwise engaged in the business of the
4 Board may be paid a hardship allowance, as determined by and
5 subject to the approval of the Governor's Travel Control
6 Board.

7 Members of the Board have no liability in any action
8 based upon any disciplinary proceeding or other activity
9 performed in good faith as a member of the Board.

10 (Source: P.A. 91-827, eff. 6-13-00.)

11 Section 225-120. The Wholesale Drug Distribution
12 Licensing Act is amended by changing Section 45 as follows:

13 (225 ILCS 120/45) (from Ch. 111, par. 8301-45)

14 (Section scheduled to be repealed on January 1, 2013)

15 Sec. 45. Wholesale Drug Distributor Advisory Committee.

16 (1) The Department shall appoint a Wholesale Drug
17 Distributor Advisory Committee composed of 5 members, to be
18 selected and for performing duties and responsibilities as
19 follows:

20 (a) At least one member shall be a pharmacy
21 distributor as defined in Section 15 of this Act, but who
22 shall be neither a member of any other Department of
23 Professional Regulation Board nor a Department employee;
24 except that if no such pharmacy distributor is available
25 to be a Committee member, the member required by this
26 subsection shall be a representative of wholesale drug
27 distributors in addition to those representatives
28 provided for in subsection (b).

29 (b) At least 2 members shall be representatives of
30 wholesale drug distributors as defined in Section 15 of
31 this Act, except that the wholesale drug distributors in
32 this subsection shall not include any drug manufacturer.

1 (c) At least one member shall be a representative
2 of drug manufacturers.

3 (d) At least one member shall be a representative
4 of chain drug wholesalers.

5 (2) ~~(e)~~ The Advisory Committee shall review and make
6 recommendations to the Department on the merit of all rules
7 and regulations dealing with wholesale drug distributors,
8 pharmacy distributors, and drug manufacturers that are
9 proposed by the Department. No rule or regulation affecting
10 wholesale drug distributors or pharmacy distributors
11 promulgated by the Department shall be approved without first
12 being submitted to the Committee reasonably ahead of time for
13 review and comment.

14 (3) ~~(f)~~ In making Advisory Committee appointments, the
15 Department shall consider recommendations received from each
16 of the wholesale drug distributor, pharmacy distributor, and
17 drug manufacturer classes cited in subsections (a) through
18 (c) of this Section; and shall promulgate rules that provide
19 for solicitation of recommendations.

20 (4) Members of the Advisory Committee shall receive no
21 compensation for their service, but may be reimbursed for
22 reasonable and necessary expenses incurred in the course of
23 that service. A member of the Advisory Committee who
24 experiences a significant financial hardship due to the loss
25 of income on days of attendance at meetings or while
26 otherwise engaged in the business of the Advisory Committee
27 may be paid a hardship allowance, as determined by and
28 subject to the approval of the Governor's Travel Control
29 Board.

30 (Source: P.A. 87-594.)

31 Section 225-125. The Perfusionist Practice Act is
32 amended by changing Section 25 as follows:

1 (225 ILCS 125/25)

2 (Section scheduled to be repealed on January 1, 2010)

3 Sec. 25. Board of Perfusion. The Director shall appoint
4 a Board of Perfusion to consist of 5 persons who shall be
5 appointed by and shall serve in an advisory capacity to the
6 Director. Two members must hold an active license to engage
7 in the practice of perfusion in this State, one member must
8 be a physician licensed under the Medical Practice Act of
9 1987 who is board certified in and actively engaged in the
10 practice of cardiothoracic surgery, one member must be a
11 licensed registered professional nurse certified by the
12 Association of Operating Room Nurses, and one member must be
13 a member of the public who is not licensed under this Act or
14 a similar Act of another jurisdiction and who has no
15 connection with the profession. The initial appointees who
16 would otherwise be required to be licensed perfusionists
17 shall instead be individuals who have been practicing
18 perfusion for at least 5 years and who are eligible under
19 this Act for licensure as perfusionists.

20 Members shall serve 4-year terms and until their
21 successors are appointed and qualified, except that, of the
22 initial appointments, 2 members shall be appointed to serve
23 for 2 years, 2 members shall be appointed to serve for 3
24 years, and 1 member shall be appointed to serve for 4 years,
25 and until their successors are appointed and qualified. No
26 member shall be reappointed to the Board for a term that
27 would cause his or her continuous service on the Board to be
28 longer than 8 consecutive years. Appointments to fill
29 vacancies shall be made in the same manner as original
30 appointments for the unexpired portion of the vacated term.
31 Initial terms shall begin upon the effective date of this
32 Act.

33 Members of the Board shall receive no compensation for
34 their service, but may be reimbursed for reasonable and

1 necessary expenses incurred in the course of that service.

2 A member of the Board who experiences a significant
3 financial hardship due to the loss of income on days of
4 attendance at meetings or while otherwise engaged in the
5 business of the Board may be paid a hardship allowance, as
6 determined by and subject to the approval of the Governor's
7 Travel Control Board.

8 The Board shall annually elect a chairperson and a
9 vice-chairperson who shall preside in the absence of the
10 chairperson. The membership of the Board should reasonably
11 reflect representation from the various geographic areas in
12 this State. The Director may terminate the appointment of
13 any member for cause. The Director may give due
14 consideration to all recommendations of the Board. A
15 majority of the Board members currently appointed shall
16 constitute a quorum. A vacancy in the membership of the
17 Board shall not impair the right of a quorum to exercise the
18 rights and perform all the duties of the Board. Members of
19 the Board shall have no liability in any action based upon
20 any disciplinary proceeding or other activity performed in
21 good faith as a member of the Board.

22 (Source: P.A. 91-580, eff. 1-1-00.)

23 Section 225-305. The Illinois Architecture Practice Act
24 of 1989 is amended by changing Section 9 as follows:

25 (225 ILCS 305/9) (from Ch. 111, par. 1309)

26 (Section scheduled to be repealed on January 1, 2010)

27 Sec. 9. Creation of the Board. The Director shall
28 appoint an Architecture Licensing Board which will consist of
29 6 members. Five members shall be licensed architects, one of
30 whom shall be a tenured member of the architectural faculty
31 of the University of Illinois. The other 4 shall be licensed
32 architects, residing in this State, who have been engaged in

1 the practice of architecture at least 10 years. In addition
2 to the 5 licensed architects, there shall be one public
3 member. The public member shall be a voting member and shall
4 not hold a license as an architect, professional engineer,
5 structural engineer or land surveyor.

6 Board members shall serve 5 year terms and until their
7 successors are appointed and qualified. In making the
8 designation of persons to the Board, the Director shall give
9 due consideration to recommendations by members and
10 organizations of the profession.

11 The membership of the Board should reasonably reflect
12 representation from the geographic areas in this State.

13 No member shall be reappointed to the Board for a term
14 which would cause his or her continuous service on the Board
15 to be longer than 10 successive years. Service prior to the
16 effective date of this Act shall not be considered.

17 Appointments to fill vacancies shall be made in the same
18 manner as original appointments, for the unexpired portion of
19 the vacated term. Initial terms shall begin upon the
20 effective date of this Act and Board members in office on
21 that date under the predecessor Act may be appointed to
22 specific terms as indicated in this Section.

23 Persons holding office as members of the Board under the
24 Illinois Architecture Act immediately prior to the effective
25 date of this Act shall continue as members of the Board under
26 this Act until the expiration of the term for which they were
27 appointed and until their successors are appointed and
28 qualified.

29 Members of the Board shall receive no compensation for
30 their service, but may be reimbursed for reasonable and
31 necessary expenses incurred in the course of that service.

32 A member of the Board who experiences a significant
33 financial hardship due to the loss of income on days of
34 attendance at meetings or while otherwise engaged in the

1 business of the Board may be paid a hardship allowance, as
2 determined by and subject to the approval of the Governor's
3 Travel Control Board.

4 A quorum of the Board shall consist of a majority of
5 Board members currently appointed. A majority vote of the
6 quorum is required for Board decisions.

7 The Director may remove any member of the Board for
8 misconduct, incompetence, neglect of duty, or for reasons
9 prescribed by law for removal of State officials.

10 The Director may remove a member of the Board who does
11 not attend 2 consecutive meetings.

12 Notice of proposed rulemaking shall be transmitted to the
13 Board and the Department shall review the response of the
14 Board and any recommendations made therein. The Department
15 may, at any time, seek the expert advice and knowledge of the
16 Board on any matter relating to the administration or
17 enforcement of this Act.

18 Members of the Board are immune from suit in any action
19 based upon any disciplinary proceedings or other activities
20 performed in good faith as members of the Board.

21 (Source: P.A. 91-133, eff. 1-1-00.)

22 Section 225-310. The Interior Design Title Act is
23 amended by changing Section 6 as follows:

24 (225 ILCS 310/6) (from Ch. 111, par. 8206)

25 (Section scheduled to be repealed on January 1, 2012)

26 Sec. 6. Board of Interior Design Professionals. There
27 is created a Board of Interior Design Professionals to be
28 composed of persons designated from time to time by the
29 Director, as follows:

30 (a) For the first year, 5 persons, 4 of whom have been
31 interior designers for a period of 5 years or more who would
32 qualify upon application to the Department under this Act to

1 be registered interior designers, and one public member.
2 After the initial appointments, each interior design member
3 shall hold a valid interior design registration. After the
4 effective date of this amendatory Act of 1994, 2 additional
5 persons shall be appointed to the Board who have been
6 residential interior designers for a period of 5 years or
7 more and who would qualify upon application under this Act to
8 be registered as a residential interior designer. After the
9 initial appointments of the 2 additional members, each
10 residential interior designer member shall hold a valid
11 residential interior designer registration. The Board shall
12 annually elect a chairman.

13 (b) Terms for all members shall be 3 years. For initial
14 appointments, one member shall be appointed to serve for one
15 year, 2 shall be appointed to serve for 2 years, and the
16 remaining shall be appointed to serve for 3 years and until
17 their successors are appointed and qualified. Initial terms
18 shall begin on the effective date of this Act. For the
19 initial appointments of the 2 additional members added by
20 this amendatory Act of 1994, one shall be appointed to serve
21 for one year and the other to serve for 2 years, and until
22 their successors are appointed and qualified. Partial terms
23 over 2 years in length shall be considered as full terms. A
24 member may be reappointed for a successive term, but no
25 member shall serve more than 2 full terms.

26 (c) The membership of the Board should reasonably
27 reflect representation from the various geographic areas of
28 the State.

29 (d) In making appointments to the Board, the Director
30 shall give due consideration to recommendations by national
31 and state organizations of the interior design profession and
32 the residential interior design profession, and shall
33 promptly give due notice to such organizations of any vacancy
34 in the membership of the Board. The Director may terminate

1 the appointment of any member for any cause, which in the
2 opinion of the Director, reasonably justifies such
3 termination.

4 (e) A vacancy in the membership of the Board shall not
5 impair the right of a quorum to exercise all the rights and
6 perform all the duties of the Board.

7 (f) The members of the Board shall receive no
8 compensation for their service, but shall be reimbursed for
9 each-receive-as-compensation-a-reasonable-sum--as--determined
10 by--the--Director-for-each-day-actually-engaged-in-the-duties
11 of-the-office, and all legitimate and necessary expenses
12 incurred in the course of that service attending-the-meeting
13 of-the-Board. A member of the Board who experiences a
14 significant financial hardship due to the loss of income on
15 days of attendance at meetings or while otherwise engaged in
16 the business of the Board may be paid a hardship allowance,
17 as determined by and subject to the approval of the
18 Governor's Travel Control Board.

19 (g) Members of the Board shall be immune from suit in
20 any action based upon any disciplinary proceedings or other
21 activities performed in good faith as members of the Board.

22 (Source: P.A. 88-650, eff. 9-16-94.)

23 Section 225-315. The Illinois Landscape Architecture Act
24 of 1989 is amended by changing Section 9 as follows:

25 (225 ILCS 315/9) (from Ch. 111, par. 8109)

26 (Section scheduled to be repealed on January 1, 2010)

27 Sec. 9. Composition, qualification, and terms of Board.

28 (a) The Director shall appoint a Board consisting of 5
29 persons who are residents of the State of Illinois and who
30 shall be appointed by and shall serve in an advisory capacity
31 to the Director. Four persons shall be individuals
32 experienced in landscape architectural work who would qualify

1 upon application to the Department under the provisions of
2 this Act to be registered landscape architects, one of whom
3 shall be tenured member of the landscape architecture faculty
4 of the University of Illinois and 3 of whom shall have
5 engaged in landscape architectural work for at least 5 years.
6 The fifth person shall be a public member, not an employee of
7 the State of Illinois, who is not registered under this Act
8 or a similar Act of another jurisdiction. The public member
9 may not be elected or appointed as chairman of the Board or
10 serve in such capacity in any other manner.

11 (b) Members of the Board shall serve 5 year terms and
12 until their successors are appointed and qualified. No
13 member shall be reappointed to the Board for a term which
14 would cause that member's cumulative service on the Board to
15 be longer than 10 years. No member who is an initial
16 appointment to the Board shall be reappointed to the Board
17 for a term which would cause that member's cumulative service
18 on the Board to be longer than 13 years. Appointments to
19 fill vacancies shall be made in the same manner as original
20 appointments for the unexpired portion of the vacated term.
21 Initial terms shall begin upon the effective date of this
22 Act.

23 (c) The Director may remove any member of the Board for
24 cause, which may include without limitation a member who does
25 not attend 2 consecutive meetings.

26 (d) The Director shall consider the recommendations of
27 the Board on questions involving standards of professional
28 conduct, discipline, and qualifications of candidates and
29 registrants under this Act.

30 (e) A quorum of the Board shall consist of a majority of
31 members currently appointed. A majority vote of the quorum
32 is required for board decisions.

33 (f) The Board shall annually elect a chairperson and
34 vice chairperson, both of whom shall be licensed landscape

1 architects.

2 (g) Members of the Board shall receive no compensation
3 for their service, but may be reimbursed for reasonable and
4 necessary expenses incurred in the course of that service. A
5 member of the Board who experiences a significant financial
6 hardship due to the loss of income on days of attendance at
7 meetings or while otherwise engaged in the business of the
8 Board may be paid a hardship allowance, as determined by and
9 subject to the approval of the Governor's Travel Control
10 Board.

11 (Source: P.A. 91-255, eff. 12-30-99.)

12 Section 225-320. The Illinois Plumbing License Law is
13 amended by changing Section 7 as follows:

14 (225 ILCS 320/7) (from Ch. 111, par. 1106)

15 Sec. 7. (1) There is created an Illinois State Board of
16 Plumbing Examiners which shall exercise its duties provided
17 in this Act under the supervision of the Department. The
18 Board shall consist of 9 licensed plumbers designated from
19 time to time by the Director. In making the appointments to
20 the Board, the Director shall consider the recommendations of
21 individuals, firms or organizations involved in plumbing in
22 this State.

23 (2) The Board shall aid the Director and the Department
24 by:

25 (a) Preparing subject matter for examinations as
26 provided in this Act.

27 (b) Suggesting rules to govern examinations and hearings
28 for suspension, revocation or reinstatement of licenses.

29 (c) Submitting recommendations to the Director from time
30 to time for the efficient administration of this Act.

31 (d) Grading all tests and examinations for licenses and
32 promptly reporting the results to the Director.

1 (e) Performing such other duties from time to time
2 prescribed by the Director.

3 (3) Board members shall receive no compensation for
4 their service, but Each-Board-member-shall-be-compensated-the
5 sum-of-\$50-for-each-day-or-part-thereof-on-which-he-serves-on
6 business-of-the--Board--and--in--addition--thereto shall be
7 reimbursed for necessary per-diem expenses incurred in the
8 course of that service as-authorized-for-State-employees. A
9 member of the Board who experiences a significant financial
10 hardship due to the loss of income on days of attendance at
11 meetings or while otherwise engaged in the business of the
12 Board may be paid a hardship allowance, as determined by and
13 subject to the approval of the Governor's Travel Control
14 Board.

15 (Source: P.A. 85-981.)

16 Section 225-325. The Professional Engineering Practice
17 Act of 1989 is amended by changing Section 6 as follows:

18 (225 ILCS 325/6) (from Ch. 111, par. 5206)

19 (Section scheduled to be repealed on January 1, 2010)

20 Sec. 6. Composition, qualifications and terms of the
21 Board.

22 (a) The Board shall be appointed by the Director and
23 shall consist of 10 members, one of whom shall be a public
24 member and 9 of whom shall be professional engineers licensed
25 under this Act. In addition each member who is a
26 professional engineer shall:

27 (1) be a citizen of the United States, and

28 (2) be a resident of this State.

29 (b) In addition, each member who is a professional
30 engineer shall:

31 (1) have not less than 12 years of experience in
32 the practice of professional engineering, and shall hold

1 an active license as a professional engineer in Illinois;

2 (2) have been in charge of professional engineering
3 work for at least 5 years. For the purposes of this
4 Section, any period in which a person has been in charge
5 of teaching engineering in an engineering college with
6 the rank of assistant professor or higher shall be
7 considered as time in which such person was in charge of
8 professional engineering work.

9 The terms for all members shall be for 5 years. On the
10 expiration of the term of any member or in the event of a
11 vacancy, the Director shall appoint a member who shall hold
12 office until the expiration of the term for which the member
13 is appointed and until a successor has been appointed and
14 qualified.

15 No member shall be reappointed to the Board for a term
16 which would cause that individual's continuous service on the
17 Board to be longer than 15 successive years.

18 In implementing the 5 year terms, the Director shall vary
19 the terms to enable the Board to have no more than 2 terms
20 expire in any one year.

21 The public member shall not be an employee of the State
22 of Illinois. The public member shall be an Illinois resident
23 and a citizen of the United States.

24 In making appointments to the Board, the Director shall
25 give due consideration to recommendations by members of the
26 profession and by organizations therein.

27 The Director may remove any member of the Board for
28 misconduct, incompetence, neglect of duty or for reasons
29 prescribed by law for removal of State officials.

30 The Director may remove a member of the Board who does
31 not attend 2 consecutive meetings.

32 A quorum of the Board shall consist of a majority of
33 Board members appointed. Majority vote of the quorum is
34 required for Board decisions.

1 Members of the Board shall receive no compensation for
2 their service, but Each member of the Board shall receive
3 compensation when attending Board meetings or meetings
4 approved by the Director and shall be reimbursed for all
5 actual traveling expenses. A member of the Board who
6 experiences a significant financial hardship due to the loss
7 of income on days of attendance at meetings or while
8 otherwise engaged in the business of the Board may be paid a
9 hardship allowance, as determined by and subject to the
10 approval of the Governor's Travel Control Board.

11 Members of the Board shall be immune from suit in any
12 action based upon any disciplinary proceedings or other
13 activities performed in good faith as members of the Board.

14 Persons holding office as members of the Board
15 immediately prior to the effective date of this Act under the
16 Act repealed herein shall continue as members of the Board
17 until the expiration of the term for which they were
18 appointed and until their successors are appointed and
19 qualified.

20 (Source: P.A. 91-92, eff. 1-1-00.)

21 Section 225-330. The Illinois Professional Land Surveyor
22 Act of 1989 is amended by changing Section 7 as follows:

23 (225 ILCS 330/7) (from Ch. 111, par. 3257)

24 (Section scheduled to be repealed on January 1, 2010)

25 Sec. 7. Creation of the Board; Composition and
26 qualifications and terms of the Board. The Board shall be
27 appointed by the Director and shall consist of 7 members, one
28 of whom shall be a public member and 6 of whom shall be
29 Professional Land Surveyors. The members shall be residents
30 of Illinois. Each Professional Land Surveyor member shall
31 (a) currently hold a valid Professional Land Surveyor license
32 in Illinois and shall have held the license under this Act or

1 its predecessor for the previous 10 year period, and (b) have
2 not been disciplined within the last 10 year period under
3 this Act or its predecessor. The public member shall not be
4 an employee of the State of Illinois or of the federal
5 government, and shall not be licensed under this Act or any
6 other Act the Department administers.

7 Members shall be appointed who reasonably represent the
8 different geographic areas of Illinois and shall serve for 5
9 year terms, and until their successors are qualified and
10 appointed. A member shall not be eligible for appointment
11 to more than 2 consecutive 5 year terms. Appointments to
12 fill vacancies shall be made for the unexpired portion of the
13 term. Initial terms shall begin on the effective date of
14 this Act. Board members currently appointed under this Act
15 and in office on the effective date of this Act shall
16 continue to hold office until their terms expire and they are
17 replaced. All appointments shall be made on the basis of
18 individual professional qualifications with the exception of
19 the public member and shall not be based upon race, sex, or
20 religious or political affiliations.

21 Members Each--member of the Board shall receive no
22 compensation for their service, but compensation--when
23 attending-to-the-work-of-the-Board-or-any-of--its--committees
24 and-for-time-spent-in-necessary-travel.--In-addition,-members
25 shall be reimbursed for actual traveling, incidentals and
26 expenses necessarily incurred in carrying out their duties as
27 members of the Board. A member of the Board who experiences
28 a significant financial hardship due to the loss of income on
29 days of attendance at meetings or while otherwise engaged in
30 the business of the Board may be paid a hardship allowance,
31 as determined by and subject to the approval of the
32 Governor's Travel Control Board.

33 The Director shall consider the advice and
34 recommendations of the Board on issues involving standards of

1 professional conduct, discipline and qualifications of the
2 candidates and licensees under this Act.

3 The Director shall make the Board appointments within 90
4 days of any vacancy. The Professional Land Surveyor members
5 shall be selected from a current list of candidates updated
6 by June 1 of each year, as submitted by members of the land
7 surveying profession and by affiliated organizations.

8 Members of the Board shall be immune from suit in any
9 action based upon any disciplinary proceedings or other
10 activities performed in good faith as members of the Board.

11 The Director may remove any member of the Board for
12 misconduct, incompetence, neglect of duty, or for any reason
13 prescribed by law for removal of State Officials or for not
14 attending 2 consecutive Board meetings.

15 (Source: P.A. 91-132, eff. 1-1-00.)

16 Section 225-335. The Illinois Roofing Industry Licensing
17 Act is amended by changing Section 11.5 as follows:

18 (225 ILCS 335/11.5)

19 (Section scheduled to be repealed on January 1, 2006)

20 Sec. 11.5. The Roofing Advisory Board is created and
21 shall consist of 8 persons, one of whom is a knowledgeable
22 public member and 7 of whom have been issued licenses as
23 roofing contractors by the Department. One of the 7 licensed
24 roofing contractors on the Board shall represent a statewide
25 association representing home builders and another of the 7
26 licensed roofing contractors shall represent an association
27 predominately representing retailers. The public member
28 shall not be licensed under this Act or any other Act the
29 Department administers. Each member shall be appointed by
30 the Director. Members shall be appointed who reasonably
31 represent the different geographic areas of the State.

32 Members of the Roofing Advisory Board shall be immune

1 from suit in any action based upon any disciplinary
2 proceedings or other acts performed in good faith as members
3 of the Roofing Advisory Board, unless the conduct that gave
4 rise to the suit was willful and wanton misconduct.

5 The persons appointed shall hold office for 4 years and
6 until a successor is appointed and qualified. The initial
7 terms shall begin July 1, 1997. Of the members of the Board
8 first appointed, 2 shall be appointed to serve for 2 years, 2
9 shall be appointed to serve for 3 years, and 3 shall be
10 appointed to serve for 4 years. No member shall serve more
11 than 2 complete 4 year terms.

12 Within 90 days of a vacancy occurring, the Director shall
13 fill the vacancy for the unexpired portion of the term with
14 an appointee who meets the same qualifications as the person
15 whose position has become vacant. The Board shall meet
16 annually to elect one member as chairman and one member as
17 vice-chairman. No officer shall be elected more than twice
18 in succession to the same office. The members of the Board
19 shall receive no compensation for their service, but shall
20 receive reimbursement for actual, necessary, and authorized
21 expenses incurred in attending the meetings of the Board. A
22 member of the Board who experiences a significant financial
23 hardship due to the loss of income on days of attendance at
24 meetings or while otherwise engaged in the business of the
25 Board may be paid a hardship allowance, as determined by and
26 subject to the approval of the Governor's Travel Control
27 Board.

28 (Source: P.A. 91-950, eff. 2-9-01.)

29 Section 225-340. The Structural Engineering Practice Act
30 of 1989 is amended by changing Section 7 as follows:

31 (225 ILCS 340/7) (from Ch. 111, par. 6607)

32 (Section scheduled to be repealed on January 1, 2010)

1 Sec. 7. The Director shall appoint a Structural
2 Engineering Board which shall consist of 6 members. Five
3 members shall be Illinois licensed structural engineers, who
4 have been engaged in the practice of structural engineering
5 for a minimum of 10 years, and one shall be a public member.
6 The public member shall be a voting member and shall not hold
7 a license as an architect, professional engineer, structural
8 engineer or land surveyor.

9 Members shall serve 5 year terms and until their
10 successors are appointed and qualified.

11 In making the designation of persons to act, the Director
12 shall give due consideration to recommendations by members of
13 the profession and by organizations of the structural
14 engineering profession.

15 The membership of the Board should reasonably reflect
16 representation from the geographic areas in this State.

17 No member shall be reappointed to the Board for a term
18 which would cause his or her continuous service on the Board
19 to be longer than 14 successive years. Service prior to the
20 effective date of this Act shall not be considered in
21 calculating length of service.

22 Members of the Board shall receive no compensation for
23 their service, but may be reimbursed for reasonable and
24 necessary expenses incurred in the course of that service.

25 A member of the Board who experiences a significant
26 financial hardship due to the loss of income on days of
27 attendance at meetings or while otherwise engaged in the
28 business of the Board may be paid a hardship allowance, as
29 determined by and subject to the approval of the Governor's
30 Travel Control Board.

31 Appointments to fill vacancies shall be made in the same
32 manner as original appointments, for the unexpired portion of
33 the vacated term. Initial terms under this Act shall begin
34 upon the expiration of the terms of Committee members

1 appointed under The Illinois Structural Engineering Act.

2 Persons holding office as members of the Board under this
3 Act on the effective date of this Act shall serve as members
4 of the Board under this Act until the expiration of the term
5 for which they were appointed and until their successors are
6 appointed and qualified under this Act.

7 A quorum of the Board shall consist of a majority of
8 Board members appointed. A majority of the quorum is
9 required for Board decisions.

10 The Director may terminate the appointment of any member
11 for cause which in the opinion of the Director reasonably
12 justifies such termination, which may include, but is not
13 limited to, a Board member who does not attend 2 consecutive
14 meetings.

15 Notice of proposed rulemaking shall be transmitted to the
16 Board and the Department shall review the response of the
17 Board and any recommendations made therein. The Department
18 may, at any time, seek the expert advice and knowledge of the
19 Board on any matter relating to the administration or
20 enforcement of this Act.

21 Members of the Board shall be immune from suit in any
22 action based upon any disciplinary proceedings or other
23 activities performed in good faith as members of the Board.

24 Whenever the Director is not satisfied that substantial
25 justice has been done in an examination, the Director may
26 order a reexamination by the same or other examiners.

27 (Source: P.A. 91-91, eff. 1-1-00; 92-237, eff. 8-3-01.)

28 Section 225-410. The Barber, Cosmetology, Esthetics, and
29 Nail Technology Act of 1985 is amended by changing Section
30 4-2 as follows:

31 (225 ILCS 410/4-2) (from Ch. 111, par. 1704-2)

32 (Section scheduled to be repealed on January 1, 2006)

1 Sec. 4-2. The Barber, Cosmetology, Esthetics, and Nail
2 Technology Committee. There is established within the
3 Department the Barber, Cosmetology, Esthetics, and Nail
4 Technology Committee, composed of 11 persons designated from
5 time to time by the Director to advise the Director in all
6 matters related to the practice of barbering, cosmetology,
7 esthetics, and nail technology.

8 The 11 members of the Committee shall be appointed as
9 follows: 6 licensed cosmetologists, all of whom hold a
10 current license as a cosmetologist or cosmetology teacher
11 and, for appointments made after the effective date of this
12 amendatory Act of 1996, at least 2 of whom shall be an owner
13 of or a major stockholder in a school of cosmetology, one of
14 whom shall be a representative of a franchiser with 5 or more
15 locations within the State, one of whom shall be a
16 representative of an owner operating salons in 5 or more
17 locations within the State, one of whom shall be an
18 independent salon owner, and no one of the cosmetologist
19 members shall be a manufacturer, jobber, or stockholder in a
20 factory of cosmetology articles or an immediate family member
21 of any of the above; 2 of whom shall be barbers holding a
22 current license; one member who shall be a licensed
23 esthetician or esthetics teacher; one member who shall be a
24 licensed nail technician or nail technology teacher; and one
25 public member who holds no licenses issued by the Department.
26 The Director shall give due consideration for membership to
27 recommendations by members of the professions and by their
28 professional organizations. Members shall serve 4 year terms
29 and until their successors are appointed and qualified. No
30 member shall be reappointed to the Committee for more than 2
31 terms. Appointments to fill vacancies shall be made in the
32 same manner as original appointments for the unexpired
33 portion of the vacated term. Members of the Committee in
34 office on the effective date of this amendatory Act of 1996

1 shall continue to serve for the duration of the terms to
2 which they have been appointed, but beginning on that
3 effective date all appointments of licensed cosmetologists
4 and barbers to serve as members of the Committee shall be
5 made in a manner that will effect at the earliest possible
6 date the changes made by this amendatory Act of 1996 in the
7 representative composition of the Committee.

8 Members of the Board shall receive no compensation for
9 their service, but may be reimbursed for reasonable and
10 necessary expenses incurred in the course of that service.

11 A member of the Committee who experiences a significant
12 financial hardship due to the loss of income on days of
13 attendance at meetings or while otherwise engaged in the
14 business of the Committee may be paid a hardship allowance,
15 as determined by and subject to the approval of the
16 Governor's Travel Control Board.

17 Whenever the Director is satisfied that substantial
18 justice has not been done in an examination, the Director may
19 order a reexamination by the same or other examiners.

20 (Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97;
21 90-580, eff. 5-21-98.)

22 Section 225-415. The Illinois Certified Shorthand
23 Reporters Act of 1984 is amended by changing Section 8 as
24 follows:

25 (225 ILCS 415/8) (from Ch. 111, par. 6208)

26 (Section scheduled to be repealed on January 1, 2004)

27 Sec. 8. The Director shall appoint a certified Shorthand
28 Reporters Board as follows: 7 persons who shall be appointed
29 by and shall serve in an advisory capacity to the Director.
30 Six members must be certified shorthand reporters, in good
31 standing, and actively engaged in the practice of shorthand
32 reporting in this State for ten years, and one member must be

1 a member of the public who is not certified under this Act,
2 or a similar Act of another jurisdiction.

3 Members shall serve 4 year terms and until their
4 successors are appointed and qualified, except that of the
5 initial appointments, one member shall be appointed to serve
6 for one year, 2 shall be appointed to serve for 2 years, 2
7 shall be appointed to serve for 3 years, and the remaining
8 one, who shall be the public member, shall be appointed to
9 serve for 4 years, until their successors are appointed and
10 qualified. No member shall be reappointed to the Board for a
11 term that would cause his continuous service on the Board to
12 be longer than 8 successive years. Service prior to the
13 effective date of this amendatory Act of 1991 shall be
14 considered. Appointments to fill vacancies shall be made in
15 the same manner as original appointments, for the unexpired
16 portion of the vacated term. Initial terms shall begin upon
17 the effective date of this Act.

18 The membership of the Board should reasonably reflect
19 representation from the geographic areas in this State. In
20 making appointments to the Board, the Director shall give
21 consideration to recommendations by national and State
22 organizations of the shorthand reporter profession and shall
23 promptly give notice to such organizations of any vacancy in
24 the membership of the Board.

25 Members of the Board shall receive no compensation for
26 their service, but may be reimbursed for reasonable and
27 necessary expenses incurred in the course of that service.

28 A member of the Board who experiences a significant
29 financial hardship due to the loss of income on days of
30 attendance at meetings or while otherwise engaged in the
31 business of the Board may be paid a hardship allowance, as
32 determined by and subject to the approval of the Governor's
33 Travel Control Board.

34 The Director may terminate the appointment of any member

1 for cause which in the opinion of the Director reasonably
2 justifies such termination.

3 The Director shall consider the recommendations of the
4 Board on questions involving standards of professional
5 conduct, discipline and qualifications of candidates and
6 certificate holders under this Act.

7 The Director may remove any member who fails to attend 3
8 consecutive meetings unless the member has a medical excuse.
9 (Source: P.A. 91-827, eff. 6-13-00.)

10 Section 225-425. The Collection Agency Act is amended by
11 changing Section 13.1 as follows:

12 (225 ILCS 425/13.1) (from Ch. 111, par. 2038.1)

13 (Section scheduled to be repealed on January 1, 2006)

14 Sec. 13.1. Collection Agency Licensing and Disciplinary
15 Board. There is created in the Department the Collection
16 Agency Licensing and Disciplinary Board composed of 7 members
17 appointed by the Director. Five members of the Board shall be
18 employed in a collection agency registered under this Act and
19 2 members of the Board shall represent the general public and
20 shall not be employed by or possess an ownership interest in
21 any collection agency registered under this Act.

22 The Board shall elect a chairman from among its members
23 and shall meet at least twice each year. The members of the
24 Board shall receive no compensation for their services, but
25 shall be reimbursed for their actual expenses incurred in the
26 performance of their duties. A member of the Board who
27 experiences a significant financial hardship due to the loss
28 of income on days of attendance at meetings or while
29 otherwise engaged in the business of the Board may be paid a
30 hardship allowance, as determined by and subject to the
31 approval of the Governor's Travel Control Board.

32 Members shall serve for a term of 4 years and until their

1 successors are appointed and qualified. No Board member,
2 after the effective date of this amendatory Act of 1995,
3 shall be appointed to more than 2 full consecutive terms.
4 The initial terms created by this amendatory Act of 1995
5 shall count as full terms for the purposes of reappointment
6 to the Board. Appointments to fill vacancies for the
7 unexpired portion of a vacated term shall be made in the same
8 manner as original appointments.

9 The appointments of those Board members currently
10 appointed shall end upon the effective date of this
11 amendatory Act of 1995, and those Board members currently
12 sitting at the effective date of this amendatory Act of 1995,
13 shall be reappointed to the following terms by and in the
14 discretion of the Director:

- 15 (1) one member shall be appointed for one year;
16 (2) two members shall be appointed to serve 2
17 years;
18 (3) two members shall be appointed to serve 3
19 years; and
20 (4) two members shall be appointed to serve for 4
21 years.

22 All members shall serve until their successors are appointed
23 and qualified.

24 The Board members appointed to terms by this amendatory
25 Act of 1995 shall be appointed as soon as possible after the
26 effective date of this amendatory Act of 1995.

27 (Source: P.A. 89-387, eff. 1-1-96.)

28 Section 225-441. The Home Inspector License Act is
29 amended by changing Section 25-10 as follows:

30 (225 ILCS 441/25-10)

31 (Section scheduled to be repealed on January 1, 2012)

32 Sec. 25-10. Home Inspector Advisory Board.

1 (a) There is hereby created the Home Inspector Advisory
2 Board. The Board shall be composed of 7 voting members
3 appointed by the Commissioner, plus the liaison under Section
4 25-15, who shall serve ex officio and without vote. Members
5 shall be appointed to the Board subject to the following
6 conditions:

7 (1) All appointed members shall have been residents
8 and citizens of this State for at least 5 years prior to
9 the date of appointment.

10 (2) The appointed membership of the Board should
11 reasonably reflect the geographic distribution of the
12 population of the State.

13 (3) Five appointed members shall be actively
14 engaged and currently licensed as home inspectors, except
15 that the initial appointees may be persons without a
16 license who have been actively engaged as home inspectors
17 for a period of 5 years immediately before the effective
18 date of this Act. Failure of an initial appointee under
19 this item (3) to obtain a license by January 1, 2003
20 shall constitute resignation from the Board.

21 (4) One appointed member shall hold a valid license
22 as a real estate broker and shall have been actively
23 engaged as a real estate broker for a period of not less
24 than 5 years.

25 (5) One appointed member shall represent the
26 interests of the general public. This member and the
27 member's spouse shall not be licensed under this Act, nor
28 be employed by nor have any interest in a home inspection
29 business or a real estate brokerage business.

30 In making appointments to the Board, the Commissioner
31 shall give due consideration to recommendations by members
32 and organizations representing the home inspection and real
33 estate industries.

34 (b) The term for members of the Board shall be 4 years,

1 except for the initial appointees. Of the initial
2 appointees, 4 members shall be appointed for terms ending
3 January 1, 2007 and 3 members shall be appointed for terms
4 ending January 1, 2006. No member shall serve more than 10
5 years in a lifetime.

6 (c) The Commissioner may terminate the appointment of
7 any member for cause that, in the opinion of the
8 Commissioner, reasonably justifies the termination. Cause for
9 termination may include, without limitation, misconduct,
10 incapacity, neglect of duty, or missing 4 Board meetings
11 during any one calendar year.

12 (d) A majority of the voting members currently appointed
13 shall constitute a quorum. A vacancy in the membership of
14 the Board shall not impair the right of a quorum to exercise
15 all of the rights and perform all of the duties of the Board.

16 (e) The Board shall meet at least quarterly and may be
17 convened by the Chairperson or 3 members of the Board upon 10
18 days' written notice.

19 (g) The liaison appointed pursuant to Section 25-15 of
20 this Act shall serve, ex officio, as Chairperson of the
21 Board, without vote.

22 (h) The Board shall advise OBRE on matters of licensing
23 and education and shall make recommendations to OBRE on those
24 matters. OBRE shall give due consideration to all
25 recommendations presented by the Board.

26 (i) The Board shall hear and make recommendations to the
27 Commissioner on disciplinary matters that require a formal
28 evidentiary hearing. The Commissioner shall give due
29 consideration to the recommendations of the Board involving
30 discipline and questions about the standards of professional
31 conduct of licensees.

32 (j) The Board may make recommendations to OBRE
33 concerning the consistency of the rules with the provisions
34 of this Act and the administration and enforcement of the

1 rules. OBRE shall give due consideration to the
2 recommendations of the Board prior to promulgating rules.

3 (k) The Board shall make recommendations to OBRE on the
4 approval of courses submitted to OBRE pursuant to this Act
5 and rules. OBRE shall give due consideration to the
6 recommendations of the Board prior to approving courses.

7 (l) Members of the Board shall receive no compensation
8 for their service, but voting members shall be reimbursed for
9 ~~Each-voting-member-of-the-Board--shall--receive--a--per--diem~~
10 ~~stipend--in--an--amount--to--be--determined--by--the--Commissioner.~~
11 ~~Each-voting--member--shall--be--paid--his--or--her~~ necessary
12 expenses while engaged in the performance of their his-or-her
13 duties. A member of the Board who experiences a significant
14 financial hardship due to the loss of income on days of
15 attendance at meetings or while otherwise engaged in the
16 business of the Board may be paid a hardship allowance, as
17 determined by and subject to the approval of the Governor's
18 Travel Control Board.

19 (m) Members of the Board shall be immune from suit in an
20 action based upon any disciplinary proceedings or other acts
21 performed in good faith as members of the Board.

22 (Source: P.A. 92-239, eff. 8-3-01.)

23 Section 225-446. The Private Detective, Private Alarm,
24 Private Security, and Locksmith Act of 1993 is amended by
25 changing Section 45 as follows:

26 (225 ILCS 446/45)

27 (Section scheduled to be repealed on December 31, 2003)

28 Sec. 45. Board; membership; terms; removal;
29 compensation.

30 (a) The Board shall consist of 11 members appointed by
31 the Director, 3 of whom shall be licensed private detectives,
32 2 of whom shall be licensed private security contractors, 2

1 of whom shall be licensed private alarm contractors, 2 of
2 whom shall be licensed locksmiths, one of whom shall be a
3 public member who is not licensed or registered under this
4 Act or a similar Act of another jurisdiction and who has no
5 connection with a business licensed under this Act, and one
6 of whom shall represent the interests of employees who are
7 registered under this Act. Each member shall be a resident
8 of Illinois. Each licensed member shall have a minimum of 5
9 years experience as a licensee in the professional area in
10 which the person is licensed and be in good standing and
11 actively engaged in practice in that profession. In making
12 Board appointments, the Director shall give consideration to
13 the recommendations by members of the profession and by
14 professional organizations. The membership shall reasonably
15 reflect representation from geographic areas in this State.

16 (b) Members shall serve 4 year terms and may serve until
17 their successors are appointed and qualified. No member shall
18 be appointed to the Board for more than 2 terms.
19 Appointments to fill vacancies shall be made in the same
20 manner as original appointments for the unexpired portion of
21 the vacated term. Members of the previous Board in office on
22 the effective date of this Act shall serve for the duration
23 of their term and may be appointed for one additional term
24 under this Act.

25 (c) A member of the Board may be removed from office for
26 just cause. A member subject to formal disciplinary
27 proceedings shall disqualify himself or herself from Board
28 business until the charge is resolved. A member also shall
29 disqualify himself or herself from any matter on which the
30 member may not objectively make a decision.

31 (d) Members shall receive no compensation for their
32 service, but shall ~~compensation-as-set-by-law.--Each-member~~
33 ~~shall-also~~ receive reimbursement as set by the Governors
34 Travel Control Board for expenses incurred in carrying out

1 the duties as a Board member. A member of the Board who
2 experiences a significant financial hardship due to the loss
3 of income on days of attendance at meetings or while
4 otherwise engaged in the business of the Board may be paid a
5 hardship allowance, as determined by and subject to the
6 approval of the Governor's Travel Control Board.

7 (e) A majority of Board members then appointed
8 constitutes a quorum. A majority vote of the quorum is
9 required for a Board decision.

10 (f) The Board may elect a chairman and other officers it
11 considers necessary.

12 (g) Board members are not liable for any of their acts,
13 omissions, decisions, or other conduct in connection with
14 their duties on the Board, except those involving willful,
15 wanton, or intentional misconduct.

16 (Source: P.A. 88-363; 89-366, eff. 1-1-96.)

17 Section 225-450. The Illinois Public Accounting Act is
18 amended by changing Section 2 as follows:

19 (225 ILCS 450/2) (from Ch. 111, par. 5502)

20 (Section scheduled to be repealed on January 1, 2014)

21 (Text of Section before amendment by P.A. 92-457)

22 Sec. 2. Examinations. The University shall appoint a
23 Board of Examiners that shall determine the qualifications of
24 persons applying for certificates and shall make rules for
25 and conduct examinations for determining the qualifications.

26 The Board shall consist of 9 examiners, at least 7 of
27 whom shall be certified public accountants in this State who
28 have been residents of this State for at least 5 years
29 immediately preceding their appointment. One shall be either
30 an accountant of the grade herein described or an attorney
31 licensed and residing in this State and one shall be a
32 certified public accountant who is an active or retired

1 educator residing in this State. The term of office of each
2 examiner shall be 3 years, except that upon the enactment of
3 this amendatory Act of 1993, those members currently serving
4 on the Board shall continue to serve the duration of their
5 terms, one additional examiner shall be appointed for a term
6 of one year, one additional examiner for a term of 2 years,
7 and 2 additional examiners for a term of 3 years. As the
8 term of each examiner expires, the appointment shall be
9 filled for a term of 3 years from the date of expiration.
10 Any Board member who has served as a member for 6 consecutive
11 years shall not be eligible for reappointment until 2 years
12 after the end of the term in which the sixth consecutive year
13 of service occurred.

14 Members of the Board shall receive no compensation for
15 their service, but may be reimbursed for reasonable and
16 necessary expenses incurred in the course of that service.

17 A member of the Board who experiences a significant
18 financial hardship due to the loss of income on days of
19 attendance at meetings or while otherwise engaged in the
20 business of the Board may be paid a hardship allowance, as
21 determined by and subject to the approval of the Governor's
22 Travel Control Board.

23 The time and place of holding the examinations shall be
24 determined by the Board and shall be duly advertised by the
25 Board.

26 The examination shall test the applicant's knowledge of
27 accounting, auditing, and other related subjects, if any, as
28 the Board may deem advisable. A candidate must be examined
29 in all subjects except that a candidate who has passed in 2
30 or more subjects and who attained a minimum grade in each
31 subject failed as may be established by Board regulations
32 shall have the right to be re-examined in the remaining
33 subjects at one or more of the next 6 succeeding
34 examinations.

1 The Board may in certain cases waive or defer any of the
2 requirements of this Section regarding the circumstances in
3 which the various Sections of the examination must be passed
4 upon a showing that, by reasons of circumstances beyond the
5 applicant's control, the applicant was unable to meet the
6 requirement.

7 Applicants may also be required to pass an examination on
8 the rules of professional conduct, as determined by Board
9 rule to be appropriate.

10 The examinations shall be given at least twice a year.

11 Any application, document or other information filed by
12 or concerning an applicant and any examination grades of an
13 applicant shall be deemed confidential and shall not be
14 disclosed to anyone without the prior written permission of
15 the applicant, except that it is hereby deemed in the public
16 interest that the names and addresses only of all applicants
17 shall be a public record and be released as public
18 information. Nothing herein shall prevent the Board from
19 making public announcement of the names of persons receiving
20 certificates under this Act.

21 The Board shall adopt all necessary and reasonable rules
22 and regulations for the effective administration of the
23 Sections of this Act for which it is charged with
24 administering. Without limiting the foregoing, the Board
25 shall adopt and prescribe rules and regulations for a fair
26 and wholly and impartial method of determining the
27 qualifications of applicants for examination and for a fair
28 and wholly and impartial method of examination of persons
29 under Section 2 and may establish rules for subjects
30 conditioned and for the transfer of credits from other
31 jurisdictions with respect to subjects passed.

32 (Source: P.A. 88-36.)

33 (Text of Section after amendment by P.A. 92-457)

34 Sec. 2. Examinations. The Governor shall appoint a Board

1 of Examiners that shall determine the qualifications of
2 persons applying for certificates and shall make rules for
3 and conduct examinations for determining the qualifications.

4 The Board shall consist of not less than 9 nor more than 11
5 examiners, as determined by Board rule, including 2 public
6 members. The remainder shall be certified public accountants
7 in this State who have been residents of this State for at
8 least 5 years immediately preceding their appointment, except
9 that one shall be either a certified public accountant of the
10 grade herein described or an attorney licensed and residing
11 in this State and one shall be a certified public accountant
12 who is an active or retired educator residing in this State.
13 The term of office of each examiner shall be 3 years, except
14 that upon the enactment of this amendatory Act of the 92nd
15 General Assembly, those members currently serving on the
16 Board shall continue to serve the duration of their terms,
17 one additional examiner shall be appointed for a term of one
18 year, one additional examiner for a term of 2 years, and any
19 additional examiners for terms of 3 years. As the term of
20 each examiner expires, the appointment shall be filled for a
21 term of 3 years from the date of expiration. Any Board
22 member who has served as a member for 6 consecutive years
23 shall not be eligible for reappointment until 2 years after
24 the end of the term in which the sixth consecutive year of
25 service occurred, except that members of the Board serving on
26 the effective date of this Section shall be eligible for
27 appointment to one additional 3-year term. Where the
28 expiration of any member's term shall result in less than 11
29 members then serving on the Board, the member shall continue
30 to serve until his or her successor is appointed and has
31 qualified. The Governor may terminate the term of any member
32 of the Board at any time for cause.

33 Members of the Board shall receive no compensation for
34 their service, but may be reimbursed for reasonable and

1 necessary expenses incurred in the course of that service.

2 A member of the Board who experiences a significant
3 financial hardship due to the loss of income on days of
4 attendance at meetings or while otherwise engaged in the
5 business of the Board may be paid a hardship allowance, as
6 determined by and subject to the approval of the Governor's
7 Travel Control Board.

8 The time and place of holding the examinations shall be
9 determined by the Board and shall be duly advertised by the
10 Board.

11 The examination shall test the applicant's knowledge of
12 accounting, auditing, and other related subjects, if any, as
13 the Board may deem advisable. A candidate must be examined
14 in all subjects except that a candidate who has passed in 2
15 or more subjects and who attained a minimum grade in each
16 subject failed as may be established by Board regulations
17 shall have the right to be re-examined in the remaining
18 subjects at one or more of the next 6 succeeding
19 examinations.

20 The Board may in certain cases waive or defer any of the
21 requirements of this Section regarding the circumstances in
22 which the various Sections of the examination must be passed
23 upon a showing that, by reasons of circumstances beyond the
24 applicant's control, the applicant was unable to meet the
25 requirement.

26 Applicants may also be required to pass an examination on
27 the rules of professional conduct, as determined by Board
28 rule to be appropriate.

29 The examinations shall be given at least twice a year.

30 Any application, document or other information filed by
31 or concerning an applicant and any examination grades of an
32 applicant shall be deemed confidential and shall not be
33 disclosed to anyone without the prior written permission of
34 the applicant, except that it is hereby deemed in the public

1 interest that the names and addresses only of all applicants
2 shall be a public record and be released as public
3 information. Nothing herein shall prevent the Board from
4 making public announcement of the names of persons receiving
5 certificates under this Act.

6 The Board shall adopt all necessary and reasonable rules
7 and regulations for the effective administration of this Act.
8 Without limiting the foregoing, the Board shall adopt and
9 prescribe rules and regulations for a fair and wholly and
10 impartial method of determining the qualifications of
11 applicants for examination and for a fair and wholly and
12 impartial method of examination of persons under Section 2
13 and may establish rules for subjects conditioned and for the
14 transfer of credits from other jurisdictions with respect to
15 subjects passed.

16 (Source: P.A. 92-457, eff. 7-1-04.)

17 Section 225-454. The Real Estate License Act of 2000 is
18 amended by changing Sections 25-10 and 30-10 as follows:

19 (225 ILCS 454/25-10)

20 (Section scheduled to be repealed on January 1, 2010)

21 Sec. 25-10. Real Estate Administration and Disciplinary
22 Board; duties. There is created the Real Estate
23 Administration and Disciplinary Board. The Board shall be
24 composed of 9 persons appointed by the Governor. Members
25 shall be appointed to the Board subject to the following
26 conditions:

27 (1) All members shall have been residents and
28 citizens of this State for at least 6 years prior to the
29 date of appointment.

30 (2) Six members shall have been actively engaged as
31 brokers or salespersons or both for at least the 10 years
32 prior to the appointment.

1 (3) Three members of the Board shall be public
2 members who represent consumer interests.

3 None of these members shall be a person who is licensed
4 under this Act, the spouse of a person licensed under this
5 Act, or a person who has an ownership interest in a real
6 estate brokerage business. The members' terms shall be 4
7 years and the expiration of their terms shall be staggered.
8 Appointments to fill vacancies shall be for the unexpired
9 portion of the term. A member may be reappointed for
10 successive terms but no person shall be appointed to more
11 than 2 terms or any part thereof in his or her lifetime.
12 Persons holding office as members of the Board immediately
13 prior to December 31, 1999 under the Real Estate License Act
14 of 1983 shall continue as members of the Board until the
15 expiration of the term for which they were appointed and
16 until their successors are appointed and qualified. The
17 membership of the Board should reasonably reflect the
18 geographic distribution of the licensee population in this
19 State. In making the appointments, the Governor shall give
20 due consideration to the recommendations by members and
21 organizations of the profession. The Governor may terminate
22 the appointment of any member for cause that in the opinion
23 of the Governor reasonably justifies the termination. Cause
24 for termination shall include without limitation misconduct,
25 incapacity, neglect of duty, or missing 4 board meetings
26 during any one calendar year.

27 Members of the Board shall receive no compensation for
28 their service, but shall be reimbursed for ~~Each-member-of-the~~
29 ~~Board--shall--receive--a--per-diem-stipend-in-an-amount-to-be~~
30 ~~determined-by-the-Commissioner.--Each-member--shall--be--paid~~
31 ~~his---or---her~~ necessary expenses while engaged in the
32 performance of his or her duties. A member of the Board who
33 experiences a significant financial hardship due to the loss
34 of income on days of attendance at meetings or while

1 otherwise engaged in the business of the Board may be paid a
2 hardship allowance, as determined by and subject to the
3 approval of the Governor's Travel Control Board. Such
4 compensation-and expenses shall be paid out of the Real
5 Estate License Administration Fund.

6 The Commissioner shall consider the recommendations of
7 the Board on questions involving standards of professional
8 conduct, discipline, and examination of candidates under this
9 Act. OBRE, after notifying and considering the
10 recommendations of the Board, if any, may issue rules,
11 consistent with the provisions of this Act, for the
12 administration and enforcement thereof and may prescribe
13 forms that shall be used in connection therewith. None of the
14 functions, powers, or duties enumerated in Sections 20-20 and
15 30-5 and subsections (a) and (j) of Section 20-60 of this Act
16 shall be exercised by OBRE except upon the action and report
17 in writing of the Board.

18 (Source: P.A. 91-245, eff. 12-31-99.)

19 (225 ILCS 454/30-10)

20 (Section scheduled to be repealed on January 1, 2010)

21 Sec. 30-10. Advisory Council; powers and duties. There
22 is created within OBRE an Advisory Council to be comprised of
23 7 members appointed by the Governor for 4-year staggered
24 terms. No member shall serve more than 8 years in a
25 lifetime. Three of the members shall be licensees who are
26 current members of the Board, one member shall be a
27 representative of an Illinois real estate trade organization
28 who is not a member of the Board, one member shall be a
29 representative of a licensed pre-license school or continuing
30 education school, and one member shall be a representative of
31 an institution of higher education that offers pre-license
32 and continuing education courses. The Director shall serve
33 as the chairman of the Advisory Council, ex officio, without

1 vote. The Advisory Council shall recommend criteria for the
2 licensing of pre-license schools, pre-license instructors,
3 continuing education schools, and continuing education
4 instructors; review applications for these licenses to
5 determine if the applicants meet the qualifications for
6 licensure established in this Act and by rule; approve
7 pre-license school and continuing education curricula; and
8 make recommendations to the Board regarding rules to be
9 adopted for the administration of the education provisions of
10 this Act.

11 Members of the Advisory Council shall receive no
12 compensation for their service, but may be reimbursed for
13 reasonable and necessary expenses incurred in the course of
14 that service.

15 A member of the Advisory Council who experiences a
16 significant financial hardship due to the loss of income on
17 days of attendance at meetings or while otherwise engaged in
18 the business of the Advisory Council may be paid a hardship
19 allowance, as determined by and subject to the approval of
20 the Governor's Travel Control Board.

21 (Source: P.A. 91-245, eff. 12-31-99.)

22 Section 225-705. The Coal Mining Act is amended by
23 changing Sections 2.01, 2.09, and 8.02 as follows:

24 (225 ILCS 705/2.01) (from Ch. 96 1/2, par. 301)

25 Sec. 2.01. State Mining Board. The Mining Board in the
26 Department of Natural Resources shall administer this Act.
27 Beginning on the effective date of this amendatory Act of the
28 93rd General Assembly, the Mining Board shall assume the
29 powers and duties of,--except--that--Article--8--shall--be
30 administered-by the Miners' Examining Board under Article 8
31 in-the-Department.

32 (Source: P.A. 89-445, eff. 2-7-96.)

1 (225 ILCS 705/2.09) (from Ch. 96 1/2, par. 309)

2 Sec. 2.09. Meetings, quorum; expenses.

3 (a) Three members of the Mining Board, or the Director
4 may call a meeting of the Mining Board at any time and at any
5 place within the State. ~~Five~~ ~~Four~~ members of the Mining
6 Board and the executive officer shall constitute a quorum.
7 Only in case of a tie vote ~~shall~~ the executive ~~officer~~ ~~office~~
8 ~~shall~~ have the right to vote.

9 (b) Members of the State Mining Board shall not be
10 compensated for their service but may be reimbursed for
11 necessary expenses incurred in the course of their duties. A
12 member of the Board who experiences a significant financial
13 hardship due to the loss of income on days of attendance at
14 meetings or while otherwise engaged in the business of the
15 Board may be paid a hardship allowance, as determined by and
16 subject to the approval of the Governor's Travel Control
17 Board.

18 (Source: P.A. 79-460.)

19 (225 ILCS 705/8.02) (from Ch. 96 1/2, par. 802)

20 Sec. 8.02. Miners' Examining Board abolished. On the
21 effective date of this amendatory Act of the 93rd General
22 Assembly, the Miners' Examining Board is abolished. On that
23 date, all of the powers, duties, assets, liabilities,
24 employees, contracts, property, records, pending business,
25 and unexpended appropriations of the Miners' Examining Board
26 are transferred to the State Mining Board.

27 For purposes of the Successor Agency Act, the State
28 Mining Board is declared to be the successor agency of the
29 Miners' Examining Board.

30 Beginning on the effective date of this amendatory Act of
31 the 93rd General Assembly, references to the Miners'
32 Examining Board shall, in appropriate contexts, be deemed to
33 refer to the State Mining Board.

1 Any rules of the Miners' Examining Board in effect on the
2 effective date of this amendatory Act of the 93rd General
3 Assembly shall be deemed rules of the State Mining Board.

4 ~~There is created in the Department of Natural Resources,~~
5 ~~Office of Mines and Minerals, a Miners' Examining Board which~~
6 ~~shall consist of four miners' examining officers to be~~
7 ~~appointed by the Governor, for a term of 2 years and until~~
8 ~~their successors are appointed and qualified. Terms of~~
9 ~~office shall commence on the third Monday in January in each~~
10 ~~odd-numbered year. Three of such officers shall constitute a~~
11 ~~quorum.~~

12 ~~This amendatory Act of 1995 does not affect the terms of~~
13 ~~members of the Miners' Examining Board holding office on the~~
14 ~~effective date of this amendatory Act of 1995.~~

15 A complete record of the proceedings and acts of the
16 Miners' Examining Board shall be kept and preserved by the
17 State Mining Board.

18 ~~Said officers shall hold no other lucrative office or~~
19 ~~employment under the government of the United States, State~~
20 ~~of Illinois, or any political division thereof or any~~
21 ~~municipal corporation therein and each such officer before~~
22 ~~entering upon the duties of his office shall subscribe and~~
23 ~~take the oath prescribed by the Constitution of this State,~~
24 ~~and shall before entering upon the duties of his office give~~
25 ~~a bond with sufficient surety to be approved by the Governor,~~
26 ~~payable to the People of the State of Illinois in the penal~~
27 ~~sum of \$5,000, conditioned for the faithful discharge of the~~
28 ~~duties of office and the delivery of all records, books,~~
29 ~~moneys, and other property pertaining to his successor in~~
30 ~~office, which said bond shall be deposited in the office of~~
31 ~~the Secretary of State. Vacancies shall be filled by~~
32 ~~appointment as provided herein for the balance of the~~
33 ~~unexpired term.~~

34 (Source: P.A. 89-445, eff. 2-7-96.)

1 (225 ILCS 705/8.03 rep.)

2 (225 ILCS 705/8.04 rep.)

3 (225 ILCS 705/8.05 rep.)

4 Section 225-705A. Sections 8.03, 8.04, and 8.05 of the
5 Coal Mining Act are repealed.

6 Section 225-720. The Surface Coal Mining Land
7 Conservation and Reclamation Act is amended by changing
8 Section 1.04 as follows:

9 (225 ILCS 720/1.04) (from Ch. 96 1/2, par. 7901.04)

10 Sec. 1.04. Advisory Council on Reclamation.

11 (a) There is created the Surface Mining Advisory Council
12 to consist of 9 members, plus the Director or his or her
13 designee. Members of the Advisory Council shall be appointed
14 by the Governor, with the advice and consent of the Senate.
15 The members appointed to the Council shall represent the
16 following interests: conservation, agriculture, surface coal
17 mining industry, local government, environmental protection,
18 the colleges and universities, underground coal mining
19 industry, labor, and the general public. The members shall
20 be knowledgeable concerning the nature of problems of mining
21 operations and reclamation. The Council shall select from
22 its members a chairperson and such other officers as it deems
23 necessary. The term of membership on the Advisory Council
24 shall be 3 years, except that the Governor may make initial
25 appointments or fill vacancies for lesser terms so that at
26 least 3 memberships expire annually. Members may be
27 reappointed. Vacancies occurring on the Advisory Council
28 shall be filled, as nearly as possible, with a person
29 representing the interest of his or her predecessor on the
30 Advisory Council.

31 Members of the Council shall be reimbursed for ordinary
32 and necessary expenses incurred in the performance of the

1 Council's duties. A member of the Council who experiences a
2 significant financial hardship due to the loss of income on
3 days of attendance at meetings or while otherwise engaged in
4 the business of the Council may be paid a hardship allowance,
5 as determined by and subject to the approval of the
6 Governor's Travel Control Board. Members--of--the--Council
7 shall,--in--addition,--receive--\$100--a--day--for--each--day--spent--in
8 the--performance--of--their--duties--as--Advisory--Council--members.

9 (b) The Advisory Council shall meet at least 3 times in
10 each calendar year on a date specified at least one week in
11 advance of the meeting. A meeting may be called by the
12 Director or on the request of a majority of Advisory Council
13 members.

14 (c) The Council shall act solely as an advisory body to
15 the Director and to the Land Reclamation Division of the
16 Office of Mines and Minerals within the Department. The
17 recommendations of the Council shall have no binding effect
18 on the Director or on the Division of Land Reclamation. The
19 advice, findings and recommendations of the Advisory Council
20 shall be made public in a semi-annual report published by the
21 Department.

22 (d) The Department shall present proposed rules related
23 to this Act, and proposed changes in such rules, to the
24 Advisory Council for its comments before putting such rules
25 or changes into effect, except for circumstances of emergency
26 or other circumstances enumerated in subsection 5(b), (d) and
27 (e) of The Illinois Administrative Procedure Act.

28 (e) The Council shall review the Federal Act and the
29 development and implementation of an approved permanent State
30 program thereunder. The Council shall make its review and
31 written recommendations to the Director. The Council may
32 seek comment from affected persons and the public prior to
33 making its recommendations.

34 (f) If as a result of any final action by the Congress

1 of the United States, any agency of the United States, or any
2 court, any provision of the Federal Act or the Regulations is
3 amended, modified, construed, or rendered inapplicable to
4 mining and reclamation operations in this State, the Director
5 shall forthwith call a meeting of the Council. The Council
6 shall review such final action and its effect in this State.
7 The Council shall recommend changes in this Act and the rules
8 adopted under this Act which would cause application of this
9 Act to reflect such final action. Pending formal amendment
10 of this Act for reason stated in this subsection, the
11 Director may administer this Act by emergency regulations in
12 accordance with the purposes of this Act and in a manner
13 consistent with any such final action of Congress, a federal
14 agency or a court.

15 (Source: P.A. 90-490, eff. 8-17-97.)

16 Section 225-745. The Professional Geologist Licensing
17 Act is amended by changing Section 35 as follows:

18 (225 ILCS 745/35)

19 (Section scheduled to be repealed on January 1, 2006)

20 Sec. 35. Board of Licensing for Professional Geologists;
21 members; qualifications; duties.

22 (a) The Director shall appoint a Board of Licensing for
23 Professional Geologists which shall serve in an advisory
24 capacity to the Director. The Board shall be composed of 8
25 persons, 7 of whom shall be voting members appointed by the
26 Director, who shall give due consideration to recommendations
27 by members of the profession of geology and of geology
28 organizations within the State. In addition, the State
29 Geologist or his or her designated representative, shall be
30 an advisory, non-voting member of the Board.

31 (b) Insofar as possible, the geologists appointed to
32 serve on the Board shall be generally representative of the

1 occupational and geographical distribution of geologists
2 within this State.

3 (c) Of the 7 appointed voting members of the Board, 6
4 shall be geologists and one shall be a member of the general
5 public with no family or business connection with the
6 practice of geology.

7 (d) Each of the first appointed geologist members of the
8 Board shall have at least 10 years of active geological
9 experience and shall possess the education and experience
10 required for licensure. Each subsequently appointed
11 geologist member of the Board shall be a professional
12 geologist licensed under this Act.

13 (e) Of the initial appointments, the Director shall
14 appoint 3 voting members for a term of 4 years, 2 voting
15 members for a term of 3 years, and 2 voting members for a
16 term of 2 years. Thereafter, voting members shall be
17 appointed for 4-year terms. Terms shall commence on the 3rd
18 Monday in January.

19 (f) Members shall hold office until the expiration of
20 their terms or until their successors have been appointed and
21 have qualified.

22 (g) No voting member of the Board shall serve more than
23 2 consecutive full terms.

24 (h) Vacancies in the membership of the Board shall be
25 filled by appointment for the unexpired term.

26 (i) The Director may remove or suspend any member of the
27 Board for cause at any time before the expiration of his or
28 her term.

29 (j) The Board shall annually elect one of its members as
30 chairperson.

31 (k) The members of the Board shall receive no
32 compensation for their service, but shall be reimbursed for
33 all legitimate and necessary expenses authorized by the
34 Department incurred in attending the meetings of the Board. A

1 member of the Board who experiences a significant financial
2 hardship due to the loss of income on days of attendance at
3 meetings or while otherwise engaged in the business of the
4 Board may be paid a hardship allowance, as determined by and
5 subject to the approval of the Governor's Travel Control
6 Board.

7 (l) The Board may make recommendations to the Director
8 to establish the examinations and their method of grading.

9 (m) The Board may submit written recommendations to the
10 Director concerning formulation of rules and a Code of
11 Professional Conduct and Ethics. The Board may recommend or
12 endorse revisions and amendments to the Code and to the rules
13 from time to time.

14 (n) The Board may make recommendations on matters
15 relating to continuing education of licensed professional
16 geologists, including the number of hours necessary for
17 license renewal, waivers for those unable to meet that
18 requirement, and acceptable course content. These
19 recommendations shall not impose an undue burden on the
20 Department or an unreasonable restriction on those seeking a
21 license renewal.

22 (Source: P.A. 89-366, eff. 7-1-96.)

23 Section 230-5. The Illinois Horse Racing Act of 1975 is
24 amended by changing Sections 4, 5, 9, and 13 as follows:

25 (230 ILCS 5/4) (from Ch. 8, par. 37-4)

26 Sec. 4. Appointment of Board.

27 (a) Until July 1, 2003 or when all of the new members to
28 be initially appointed under this amendatory Act of the 93rd
29 General Assembly have been appointed by the Governor,
30 whichever occurs later, the Board shall consist of 11 members
31 to be appointed by the Governor with the advice and consent
32 of the Senate, not more than 6 of whom shall be of the same

1 political party, and one of whom shall be designated by the
2 Governor to be chairman.

3 The term of each appointed member of the Board who is in
4 office on June 30, 2003 shall terminate at the close of
5 business on that date or when all of the new members to be
6 initially appointed under this amendatory Act of the 93rd
7 General Assembly have been appointed by the Governor,
8 whichever occurs later.

9 (b) Beginning on July 1, 2003 or when all of the new
10 members to be initially appointed under this amendatory Act
11 of the 93rd General Assembly have been appointed by the
12 Governor, whichever occurs later, the Board shall consist of
13 7 members to be appointed by the Governor with the advice and
14 consent of the Senate, not more than 4 of whom shall be of
15 the same political party, and one of whom shall be designated
16 by the Governor to be chairman.

17 (c) Each member shall have a reasonable knowledge of
18 harness or thoroughbred racing practices and procedure and of
19 the principles of harness or thoroughbred racing and breeding
20 and, at the time of his appointment, shall be a resident of
21 the State of Illinois and shall have resided therein for a
22 period of at least 5 years next preceding his appointment and
23 qualification and he shall be a qualified voter therein and
24 not less than 25 years of age.

25 (Source: P.A. 91-798, eff. 7-9-00.)

26 (230 ILCS 5/5) (from Ch. 8, par. 37-5)

27 Sec. 5. Terms; expenses.

28 (a) Of the members initially appointed pursuant to this
29 amendatory Act of the 93rd General Assembly, 2 shall be
30 appointed for terms expiring July 1, 2005; 2 shall be
31 appointed for terms expiring July 1, 2007; and 3 shall be
32 appointed for terms expiring July 1, 2009. As-seen-as
33 practicable-following-the-effective-date-of--this--amendatory

1 Act--of-1995,-the-Governor-shall-appoint,-with-the-advice-and
2 consent-of-the-Senate,-members-to-the--Board--as--follows:-3
3 members--for-terms-expiring-July-1,-1996;-3-members-for-terms
4 expiring-July-1,-1998;-and-3-members-for-terms-expiring--July
5 1,-2000.---Of-the-2-additional-members-appointed-pursuant-to
6 this-amendatory-Act-of-the-91st-General-Assembly,-the-initial
7 term-of-one-member-shall-expire--on--July--1,-2002--and--the
8 initial--term--of--the--other--member-shall-expire-on-July-1,
9 2004. Thereafter, the terms of office of the Board members
10 shall be 6 years. Incumbent-members-on-the-effective-date-of
11 this--amendatory--Act--of--1995--shall-continue-to-serve-only
12 until-their-successors-are-appointed-and-have-qualified.

13 Each-member-of-the-Board-shall-receive-\$300-per--day--for
14 each-day-the-Board-meets-and-for-each-day-the-member-conducts
15 a--hearing--pursuant-to-Section-16-of-this-Act,-provided-that
16 no-Board-member-shall-receive-more-than-\$5,000-in--such--fees
17 during---any---calendar---year,-or--an--amount--set--by--the
18 Compensation-Review-Board,-whichever-is-greater.

19 (b) Members of the Board shall also be reimbursed for
20 all actual-and necessary expenses and-disbursements incurred
21 in the execution of their official duties. A member of the
22 Board who experiences a significant financial hardship due to
23 the loss of income on days of attendance at meetings or while
24 otherwise engaged in the business of the Board may be paid a
25 hardship allowance, as determined by and subject to the
26 approval of the Governor's Travel Control Board.

27 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

28 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

29 Sec. 9. The Board shall have all powers necessary and
30 proper to fully and effectively execute the provisions of
31 this Act, including, but not limited to, the following:

32 (a) The Board is vested with jurisdiction and
33 supervision over all race meetings in this State, over all

1 licensees doing business in this State, over all occupation
2 licensees, and over all persons on the facilities of any
3 licensee. Such jurisdiction shall include the power to issue
4 licenses to the Illinois Department of Agriculture
5 authorizing the pari-mutuel system of wagering on harness and
6 Quarter Horse races held (1) at the Illinois State Fair in
7 Sangamon County, and (2) at the DuQuoin State Fair in Perry
8 County. The jurisdiction of the Board shall also include the
9 power to issue licenses to county fairs which are eligible to
10 receive funds pursuant to the Agricultural Fair Act, as now
11 or hereafter amended, or their agents, authorizing the
12 pari-mutuel system of wagering on horse races conducted at
13 the county fairs receiving such licenses. Such licenses
14 shall be governed by subsection (n) of this Section.

15 Upon application, the Board shall issue a license to the
16 Illinois Department of Agriculture to conduct harness and
17 Quarter Horse races at the Illinois State Fair and at the
18 DuQuoin State Fairgrounds during the scheduled dates of each
19 fair. The Board shall not require and the Department of
20 Agriculture shall be exempt from the requirements of Sections
21 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e),
22 (e-5), (e-10), (f), (g), and (h) of Section 20, and Sections
23 21, 24 and 25. The Board and the Department of Agriculture
24 may extend any or all of these exemptions to any contractor
25 or agent engaged by the Department of Agriculture to conduct
26 its race meetings when the Board determines that this would
27 best serve the public interest and the interest of horse
28 racing.

29 Notwithstanding any provision of law to the contrary, it
30 shall be lawful for any licensee to operate pari-mutuel
31 wagering or contract with the Department of Agriculture to
32 operate pari-mutuel wagering at the DuQuoin State Fairgrounds
33 or for the Department to enter into contracts with a
34 licensee, employ its owners, employees or agents and employ

1 such other occupation licensees as the Department deems
2 necessary in connection with race meetings and wagerings.

3 (b) The Board is vested with the full power to
4 promulgate reasonable rules and regulations for the purpose
5 of administering the provisions of this Act and to prescribe
6 reasonable rules, regulations and conditions under which all
7 horse race meetings or wagering in the State shall be
8 conducted. Such reasonable rules and regulations are to
9 provide for the prevention of practices detrimental to the
10 public interest and to promote the best interests of horse
11 racing and to impose penalties for violations thereof.

12 (c) The Board, and any person or persons to whom it
13 delegates this power, is vested with the power to enter the
14 facilities and other places of business of any licensee to
15 determine whether there has been compliance with the
16 provisions of this Act and its rules and regulations.

17 (d) The Board, and any person or persons to whom it
18 delegates this power, is vested with the authority to
19 investigate alleged violations of the provisions of this Act,
20 its reasonable rules and regulations, orders and final
21 decisions; the Board shall take appropriate disciplinary
22 action against any licensee or occupation licensee for
23 violation thereof or institute appropriate legal action for
24 the enforcement thereof.

25 (e) The Board, and any person or persons to whom it
26 delegates this power, may eject or exclude from any race
27 meeting or the facilities of any licensee, or any part
28 thereof, any occupation licensee or any other individual
29 whose conduct or reputation is such that his presence on
30 those facilities may, in the opinion of the Board, call into
31 question the honesty and integrity of horse racing or
32 wagering or interfere with the orderly conduct of horse
33 racing or wagering; provided, however, that no person shall
34 be excluded or ejected from the facilities of any licensee

1 solely on the grounds of race, color, creed, national origin,
2 ancestry, or sex. The power to eject or exclude an
3 occupation licensee or other individual may be exercised for
4 just cause by the licensee or the Board, subject to
5 subsequent hearing by the Board as to the propriety of said
6 exclusion.

7 (f) The Board is vested with the power to acquire,
8 establish, maintain and operate (or provide by contract to
9 maintain and operate) testing laboratories and related
10 facilities, for the purpose of conducting saliva, blood,
11 urine and other tests on the horses run or to be run in any
12 horse race meeting and to purchase all equipment and supplies
13 deemed necessary or desirable in connection with any such
14 testing laboratories and related facilities and all such
15 tests.

16 (g) The Board may require that the records, including
17 financial or other statements of any licensee or any person
18 affiliated with the licensee who is involved directly or
19 indirectly in the activities of any licensee as regulated
20 under this Act to the extent that those financial or other
21 statements relate to such activities be kept in such manner
22 as prescribed by the Board, and that Board employees shall
23 have access to those records during reasonable business
24 hours. Within 120 days of the end of its fiscal year, each
25 licensee shall transmit to the Board an audit of the
26 financial transactions and condition of the licensee's total
27 operations. All audits shall be conducted by certified
28 public accountants. Each certified public accountant must be
29 registered in the State of Illinois under the Illinois Public
30 Accounting Act. The compensation for each certified public
31 accountant shall be paid directly by the licensee to the
32 certified public accountant. A licensee shall also submit
33 any other financial or related information the Board deems
34 necessary to effectively administer this Act and all rules,

1 regulations, and final decisions promulgated under this Act.

2 (h) The Board shall name and appoint in the manner
3 provided by the rules and regulations of the Board: an
4 ~~Executive--Director~~; a State director of mutuels; State
5 veterinarians and representatives to take saliva, blood,
6 urine and other tests on horses; licensing personnel; revenue
7 inspectors; and State seasonal employees (excluding admission
8 ticket sellers and mutuel clerks). All of those named and
9 appointed as provided in this subsection shall serve during
10 the pleasure of the Board; their compensation shall be
11 determined by the Board and be paid in the same manner as
12 other employees of the Board under this Act.

13 (i) The Board shall require that there shall be 3
14 stewards at each horse race meeting, at least 2 of whom shall
15 be named and appointed by the Board. Stewards appointed or
16 approved by the Board, while performing duties required by
17 this Act or by the Board, shall be entitled to the same
18 rights and immunities as granted to Board members and Board
19 employees in Section 10 of this Act.

20 (j) The Board may discharge any Board employee who fails
21 or refuses for any reason to comply with the rules and
22 regulations of the Board, or who, in the opinion of the
23 Board, is guilty of fraud, dishonesty or who is proven to be
24 incompetent. The Board shall have no right or power to
25 determine who shall be officers, directors or employees of
26 any licensee, or their salaries except the Board may, by
27 rule, require that all or any officials or employees in
28 charge of or whose duties relate to the actual running of
29 races be approved by the Board.

30 (k) The Board is vested with the power to appoint
31 delegates to execute any of the powers granted to it under
32 this Section for the purpose of administering this Act and
33 any rules or regulations promulgated in accordance with this
34 Act.

1 (l) The Board is vested with the power to impose civil
2 penalties of up to \$5,000 against an individual and up to
3 \$10,000 against a licensee for each violation of any
4 provision of this Act, any rules adopted by the Board, any
5 order of the Board or any other action which, in the Board's
6 discretion, is a detriment or impediment to horse racing or
7 wagering.

8 (m) The Board is vested with the power to prescribe a
9 form to be used by licensees as an application for employment
10 for employees of each licensee.

11 (n) The Board shall have the power to issue a license to
12 any county fair, or its agent, authorizing the conduct of the
13 pari-mutuel system of wagering. The Board is vested with the
14 full power to promulgate reasonable rules, regulations and
15 conditions under which all horse race meetings licensed
16 pursuant to this subsection shall be held and conducted,
17 including rules, regulations and conditions for the conduct
18 of the pari-mutuel system of wagering. The rules,
19 regulations and conditions shall provide for the prevention
20 of practices detrimental to the public interest and for the
21 best interests of horse racing, and shall prescribe penalties
22 for violations thereof. Any authority granted the Board
23 under this Act shall extend to its jurisdiction and
24 supervision over county fairs, or their agents, licensed
25 pursuant to this subsection. However, the Board may waive
26 any provision of this Act or its rules or regulations which
27 would otherwise apply to such county fairs or their agents.

28 (o) Whenever the Board is authorized or required by law
29 to consider some aspect of criminal history record
30 information for the purpose of carrying out its statutory
31 powers and responsibilities, then, upon request and payment
32 of fees in conformance with the requirements of Section
33 2605-400 of the Department of State Police Law (20 ILCS
34 2605/2605-400), the Department of State Police is authorized

1 to furnish, pursuant to positive identification, such
2 information contained in State files as is necessary to
3 fulfill the request.

4 (p) To insure the convenience, comfort, and wagering
5 accessibility of race track patrons, to provide for the
6 maximization of State revenue, and to generate increases in
7 purse allotments to the horsemen, the Board shall require any
8 licensee to staff the pari-mutuel department with adequate
9 personnel.

10 (Source: P.A. 91-239, eff. 1-1-00.)

11 (230 ILCS 5/13) (from Ch. 8, par. 37-13)

12 Sec. 13. Executive Director. The Board shall have an
13 executive director, who shall be appointed by the Governor
14 without the advice and consent of the Senate. The executive
15 director shall perform any and all duties that the Board
16 shall assign him. The salary of the executive director shall
17 be determined by the Board and, in addition, he shall be
18 reimbursed for all actual and necessary expenses incurred by
19 him in discharge of his official duties.

20 The executive director shall keep records of all
21 proceedings of the Board and shall preserve all records,
22 books, documents and other papers belonging to the Board or
23 entrusted to its care. The executive director shall devote
24 his full time to the duties of the office and shall not hold
25 any other office or employment.

26 (Source: P.A. 84-531.)

27 Section 230-10. The Riverboat Gambling Act is amended by
28 changing Section 5 as follows:

29 (230 ILCS 10/5) (from Ch. 120, par. 2405)

30 Sec. 5. Gaming Board.

31 (a) (1) There is hereby established within the

1 Department of Revenue an Illinois Gaming Board which shall
2 have the powers and duties specified in this Act, and all
3 other powers necessary and proper to fully and effectively
4 execute this Act for the purpose of administering,
5 regulating, and enforcing the system of riverboat gambling
6 established by this Act. Its jurisdiction shall extend under
7 this Act to every person, association, corporation,
8 partnership and trust involved in riverboat gambling
9 operations in the State of Illinois.

10 (2) The Board shall consist of 5 members to be appointed
11 by the Governor with the advice and consent of the Senate,
12 one of whom shall be designated by the Governor to be
13 chairman. Each member shall have a reasonable knowledge of
14 the practice, procedure and principles of gambling
15 operations. Each member shall either be a resident of
16 Illinois or shall certify that he will become a resident of
17 Illinois before taking office. At least one member shall be
18 experienced in law enforcement and criminal investigation, at
19 least one member shall be a certified public accountant
20 experienced in accounting and auditing, and at least one
21 member shall be a lawyer licensed to practice law in
22 Illinois.

23 (3) The terms of office of the Board members shall be 3
24 years, except that the terms of office of the initial Board
25 members appointed pursuant to this Act will commence from the
26 effective date of this Act and run as follows: one for a
27 term ending July 1, 1991, 2 for a term ending July 1, 1992,
28 and 2 for a term ending July 1, 1993. Upon the expiration of
29 the foregoing terms, the successors of such members shall
30 serve a term for 3 years and until their successors are
31 appointed and qualified for like terms. Vacancies in the
32 Board shall be filled for the unexpired term in like manner
33 as original appointments. Each member of the Board shall be
34 eligible for reappointment at the discretion of the Governor

1 with the advice and consent of the Senate.

2 Notwithstanding any other provision of this Section, the
3 term of each member of the Board who was appointed by the
4 Governor and is in office on June 30, 2003 shall terminate at
5 the close of business on that date or when all of the
6 successor members to be appointed pursuant to this amendatory
7 Act of the 93rd General Assembly have been appointed by the
8 Governor, whichever occurs later. As soon as possible, the
9 Governor shall appoint persons to fill the vacancies created
10 by this amendatory Act.

11 (4) ~~Each member of the Board shall receive \$300 for each~~
12 ~~day the Board meets and for each day the member conducts any~~
13 ~~hearing pursuant to this Act.~~ Each member of the Board shall
14 serve without compensation but shall also be reimbursed for
15 all actual and necessary expenses and disbursements incurred
16 in the execution of official duties. A member of the Board
17 who experiences a significant financial hardship due to the
18 loss of income on days of attendance at meetings or while
19 otherwise engaged in the business of the Board may be paid a
20 hardship allowance, as determined by and subject to the
21 approval of the Governor's Travel Control Board.

22 (5) No person shall be appointed a member of the Board
23 or continue to be a member of the Board who is, or whose
24 spouse, child or parent is, a member of the board of
25 directors of, or a person financially interested in, any
26 gambling operation subject to the jurisdiction of this Board,
27 or any race track, race meeting, racing association or the
28 operations thereof subject to the jurisdiction of the
29 Illinois Racing Board. No Board member shall hold any other
30 public office for which he shall receive compensation other
31 than necessary travel or other incidental expenses. No
32 person shall be a member of the Board who is not of good
33 moral character or who has been convicted of, or is under
34 indictment for, a felony under the laws of Illinois or any

1 other state, or the United States.

2 (6) Any member of the Board may be removed by the
3 Governor for neglect of duty, misfeasance, malfeasance, or
4 nonfeasance in office.

5 (7) Before entering upon the discharge of the duties of
6 his office, each member of the Board shall take an oath that
7 he will faithfully execute the duties of his office according
8 to the laws of the State and the rules and regulations
9 adopted therewith and shall give bond to the State of
10 Illinois, approved by the Governor, in the sum of \$25,000.
11 Every such bond, when duly executed and approved, shall be
12 recorded in the office of the Secretary of State. Whenever
13 the Governor determines that the bond of any member of the
14 Board has become or is likely to become invalid or
15 insufficient, he shall require such member forthwith to renew
16 his bond, which is to be approved by the Governor. Any
17 member of the Board who fails to take oath and give bond
18 within 30 days from the date of his appointment, or who fails
19 to renew his bond within 30 days after it is demanded by the
20 Governor, shall be guilty of neglect of duty and may be
21 removed by the Governor. The cost of any bond given by any
22 member of the Board under this Section shall be taken to be a
23 part of the necessary expenses of the Board.

24 (8) Upon the request of the Board, the Department shall
25 employ such personnel as may be necessary to carry out the
26 functions of the Board. No person shall be employed to serve
27 the Board who is, or whose spouse, parent or child is, an
28 official of, or has a financial interest in or financial
29 relation with, any operator engaged in gambling operations
30 within this State or any organization engaged in conducting
31 horse racing within this State. Any employee violating these
32 prohibitions shall be subject to termination of employment.

33 (9) The Board shall have an Administrator, who shall be
34 appointed by the Governor without the advice and consent of

1 the Senate. The An Administrator shall perform any and all
2 duties that the Board shall assign him. The salary of the
3 Administrator shall be determined by the Board and approved
4 by the Director of the Department and, in addition, he shall
5 be reimbursed for all actual and necessary expenses incurred
6 by him in discharge of his official duties. The
7 Administrator shall keep records of all proceedings of the
8 Board and shall preserve all records, books, documents and
9 other papers belonging to the Board or entrusted to its care.
10 The Administrator shall devote his full time to the duties of
11 the office and shall not hold any other office or employment.

12 (b) The Board shall have general responsibility for the
13 implementation of this Act. Its duties include, without
14 limitation, the following:

15 (1) To decide promptly and in reasonable order all
16 license applications. Any party aggrieved by an action of
17 the Board denying, suspending, revoking, restricting or
18 refusing to renew a license may request a hearing before
19 the Board. A request for a hearing must be made to the
20 Board in writing within 5 days after service of notice of
21 the action of the Board. Notice of the action of the
22 Board shall be served either by personal delivery or by
23 certified mail, postage prepaid, to the aggrieved party.
24 Notice served by certified mail shall be deemed complete
25 on the business day following the date of such mailing.
26 The Board shall conduct all requested hearings promptly
27 and in reasonable order;

28 (2) To conduct all hearings pertaining to civil
29 violations of this Act or rules and regulations
30 promulgated hereunder;

31 (3) To promulgate such rules and regulations as in
32 its judgment may be necessary to protect or enhance the
33 credibility and integrity of gambling operations
34 authorized by this Act and the regulatory process

1 hereunder;

2 (4) To provide for the establishment and collection
3 of all license and registration fees and taxes imposed by
4 this Act and the rules and regulations issued pursuant
5 hereto. All such fees and taxes shall be deposited into
6 the State Gaming Fund;

7 (5) To provide for the levy and collection of
8 penalties and fines for the violation of provisions of
9 this Act and the rules and regulations promulgated
10 hereunder. All such fines and penalties shall be
11 deposited into the Education Assistance Fund, created by
12 Public Act 86-0018, of the State of Illinois;

13 (6) To be present through its inspectors and agents
14 any time gambling operations are conducted on any
15 riverboat for the purpose of certifying the revenue
16 thereof, receiving complaints from the public, and
17 conducting such other investigations into the conduct of
18 the gambling games and the maintenance of the equipment
19 as from time to time the Board may deem necessary and
20 proper;

21 (7) To review and rule upon any complaint by a
22 licensee regarding any investigative procedures of the
23 State which are unnecessarily disruptive of gambling
24 operations. The need to inspect and investigate shall be
25 presumed at all times. The disruption of a licensee's
26 operations shall be proved by clear and convincing
27 evidence, and establish that: (A) the procedures had no
28 reasonable law enforcement purposes, and (B) the
29 procedures were so disruptive as to unreasonably inhibit
30 gambling operations;

31 (8) To hold at least one meeting each quarter of
32 the fiscal year. In addition, special meetings may be
33 called by the Chairman or any 2 Board members upon 72
34 hours written notice to each member. All Board meetings

1 shall be subject to the Open Meetings Act. Three members
2 of the Board shall constitute a quorum, and 3 votes shall
3 be required for any final determination by the Board.
4 The Board shall keep a complete and accurate record of
5 all its meetings. A majority of the members of the Board
6 shall constitute a quorum for the transaction of any
7 business, for the performance of any duty, or for the
8 exercise of any power which this Act requires the Board
9 members to transact, perform or exercise en banc, except
10 that, upon order of the Board, one of the Board members
11 or an administrative law judge designated by the Board
12 may conduct any hearing provided for under this Act or by
13 Board rule and may recommend findings and decisions to
14 the Board. The Board member or administrative law judge
15 conducting such hearing shall have all powers and rights
16 granted to the Board in this Act. The record made at the
17 time of the hearing shall be reviewed by the Board, or a
18 majority thereof, and the findings and decision of the
19 majority of the Board shall constitute the order of the
20 Board in such case;

21 (9) To maintain records which are separate and
22 distinct from the records of any other State board or
23 commission. Such records shall be available for public
24 inspection and shall accurately reflect all Board
25 proceedings;

26 (10) To file a written annual report with the
27 Governor on or before March 1 each year and such
28 additional reports as the Governor may request. The
29 annual report shall include a statement of receipts and
30 disbursements by the Board, actions taken by the Board,
31 and any additional information and recommendations which
32 the Board may deem valuable or which the Governor may
33 request;

34 (11) (Blank); and

1 (12) To assume responsibility for the
2 administration and enforcement of the Bingo License and
3 Tax Act, the Charitable Games Act, and the Pull Tabs and
4 Jar Games Act if such responsibility is delegated to it
5 by the Director of Revenue.

6 (c) The Board shall have jurisdiction over and shall
7 supervise all gambling operations governed by this Act. The
8 Board shall have all powers necessary and proper to fully and
9 effectively execute the provisions of this Act, including,
10 but not limited to, the following:

11 (1) To investigate applicants and determine the
12 eligibility of applicants for licenses and to select
13 among competing applicants the applicants which best
14 serve the interests of the citizens of Illinois.

15 (2) To have jurisdiction and supervision over all
16 riverboat gambling operations in this State and all
17 persons on riverboats where gambling operations are
18 conducted.

19 (3) To promulgate rules and regulations for the
20 purpose of administering the provisions of this Act and
21 to prescribe rules, regulations and conditions under
22 which all riverboat gambling in the State shall be
23 conducted. Such rules and regulations are to provide for
24 the prevention of practices detrimental to the public
25 interest and for the best interests of riverboat
26 gambling, including rules and regulations regarding the
27 inspection of such riverboats and the review of any
28 permits or licenses necessary to operate a riverboat
29 under any laws or regulations applicable to riverboats,
30 and to impose penalties for violations thereof.

31 (4) To enter the office, riverboats, facilities, or
32 other places of business of a licensee, where evidence of
33 the compliance or noncompliance with the provisions of
34 this Act is likely to be found.

1 (5) To investigate alleged violations of this Act
2 or the rules of the Board and to take appropriate
3 disciplinary action against a licensee or a holder of an
4 occupational license for a violation, or institute
5 appropriate legal action for enforcement, or both.

6 (6) To adopt standards for the licensing of all
7 persons under this Act, as well as for electronic or
8 mechanical gambling games, and to establish fees for such
9 licenses.

10 (7) To adopt appropriate standards for all
11 riverboats and facilities.

12 (8) To require that the records, including
13 financial or other statements of any licensee under this
14 Act, shall be kept in such manner as prescribed by the
15 Board and that any such licensee involved in the
16 ownership or management of gambling operations submit to
17 the Board an annual balance sheet and profit and loss
18 statement, list of the stockholders or other persons
19 having a 1% or greater beneficial interest in the
20 gambling activities of each licensee, and any other
21 information the Board deems necessary in order to
22 effectively administer this Act and all rules,
23 regulations, orders and final decisions promulgated under
24 this Act.

25 (9) To conduct hearings, issue subpoenas for the
26 attendance of witnesses and subpoenas duces tecum for the
27 production of books, records and other pertinent
28 documents in accordance with the Illinois Administrative
29 Procedure Act, and to administer oaths and affirmations
30 to the witnesses, when, in the judgment of the Board, it
31 is necessary to administer or enforce this Act or the
32 Board rules.

33 (10) To prescribe a form to be used by any licensee
34 involved in the ownership or management of gambling

1 operations as an application for employment for their
2 employees.

3 (11) To revoke or suspend licenses, as the Board
4 may see fit and in compliance with applicable laws of the
5 State regarding administrative procedures, and to review
6 applications for the renewal of licenses. The Board may
7 suspend an owners license, without notice or hearing upon
8 a determination that the safety or health of patrons or
9 employees is jeopardized by continuing a riverboat's
10 operation. The suspension may remain in effect until the
11 Board determines that the cause for suspension has been
12 abated. The Board may revoke the owners license upon a
13 determination that the owner has not made satisfactory
14 progress toward abating the hazard.

15 (12) To eject or exclude or authorize the ejection
16 or exclusion of, any person from riverboat gambling
17 facilities where such person is in violation of this Act,
18 rules and regulations thereunder, or final orders of the
19 Board, or where such person's conduct or reputation is
20 such that his presence within the riverboat gambling
21 facilities may, in the opinion of the Board, call into
22 question the honesty and integrity of the gambling
23 operations or interfere with orderly conduct thereof;
24 provided that the propriety of such ejection or exclusion
25 is subject to subsequent hearing by the Board.

26 (13) To require all licensees of gambling
27 operations to utilize a cashless wagering system whereby
28 all players' money is converted to tokens, electronic
29 cards, or chips which shall be used only for wagering in
30 the gambling establishment.

31 (14) (Blank).

32 (15) To suspend, revoke or restrict licenses, to
33 require the removal of a licensee or an employee of a
34 licensee for a violation of this Act or a Board rule or

1 for engaging in a fraudulent practice, and to impose
2 civil penalties of up to \$5,000 against individuals and
3 up to \$10,000 or an amount equal to the daily gross
4 receipts, whichever is larger, against licensees for each
5 violation of any provision of the Act, any rules adopted
6 by the Board, any order of the Board or any other action
7 which, in the Board's discretion, is a detriment or
8 impediment to riverboat gambling operations.

9 (16) To hire employees to gather information,
10 conduct investigations and carry out any other tasks
11 contemplated under this Act.

12 (17) To establish minimum levels of insurance to be
13 maintained by licensees.

14 (18) To authorize a licensee to sell or serve
15 alcoholic liquors, wine or beer as defined in the Liquor
16 Control Act of 1934 on board a riverboat and to have
17 exclusive authority to establish the hours for sale and
18 consumption of alcoholic liquor on board a riverboat,
19 notwithstanding any provision of the Liquor Control Act
20 of 1934 or any local ordinance, and regardless of whether
21 the riverboat makes excursions. The establishment of the
22 hours for sale and consumption of alcoholic liquor on
23 board a riverboat is an exclusive power and function of
24 the State. A home rule unit may not establish the hours
25 for sale and consumption of alcoholic liquor on board a
26 riverboat. This amendatory Act of 1991 is a denial and
27 limitation of home rule powers and functions under
28 subsection (h) of Section 6 of Article VII of the
29 Illinois Constitution.

30 (19) After consultation with the U.S. Army Corps of
31 Engineers, to establish binding emergency orders upon the
32 concurrence of a majority of the members of the Board
33 regarding the navigability of water, relative to
34 excursions, in the event of extreme weather conditions,

1 acts of God or other extreme circumstances.

2 (20) To delegate the execution of any of its powers
3 under this Act for the purpose of administering and
4 enforcing this Act and its rules and regulations
5 hereunder.

6 (21) To take any other action as may be reasonable
7 or appropriate to enforce this Act and rules and
8 regulations hereunder.

9 (d) The Board may seek and shall receive the cooperation
10 of the Department of State Police in conducting background
11 investigations of applicants and in fulfilling its
12 responsibilities under this Section. Costs incurred by the
13 Department of State Police as a result of such cooperation
14 shall be paid by the Board in conformance with the
15 requirements of Section 2605-400 of the Department of State
16 Police Law (20 ILCS 2605/2605-400).

17 (e) The Board must authorize to each investigator and to
18 any other employee of the Board exercising the powers of a
19 peace officer a distinct badge that, on its face, (i) clearly
20 states that the badge is authorized by the Board and (ii)
21 contains a unique identifying number. No other badge shall
22 be authorized by the Board.

23 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00;
24 91-883, eff. 1-1-01.)

25 Section 235-5. The Liquor Control Act of 1934 is amended
26 by changing Sections 3-1, 3-2, 3-3, 3-9, and 3-10 as follows:

27 (235 ILCS 5/3-1) (from Ch. 43, par. 97)

28 Sec. 3-1. Illinois Liquor Control Commission. There is
29 hereby created an Illinois Liquor Control Commission.

30 Until July 1, 2003 or when all of the new members to be
31 initially appointed under this amendatory Act of the 93rd
32 General Assembly have been appointed by the Governor,

1 whichever occurs later, the Commission shall consist
2 consisting of 7 members to be appointed by the Governor with
3 the advice and consent of the Senate, no more than 4 of whom
4 shall be members of the same political party.

5 The term of each appointed member of the Commission who
6 is in office on June 30, 2003 shall terminate at the close of
7 business on that date or when all of the new members to be
8 initially appointed under this amendatory Act of the 93rd
9 General Assembly have been appointed by the Governor,
10 whichever occurs later.

11 Beginning on July 1, 2003 or when all of the new members
12 to be initially appointed under this amendatory Act of the
13 93rd General Assembly have been appointed by the Governor,
14 whichever occurs later, the Commission shall consist of 5
15 members to be appointed by the Governor with the advice and
16 consent of the Senate, no more than 3 of whom shall be
17 members of the same political party.

18 (Source: P.A. 91-798, eff. 7-9-00.)

19 (235 ILCS 5/3-2) (from Ch. 43, par. 98)

20 Sec. 3-2. Vacancies; terms.

21 ~~Immediately, or soon as may be after the effective date~~
22 ~~of this Act, the Governor shall appoint 3 members of the~~
23 ~~commission, one of whom shall be designated as "Chairman",~~
24 ~~one to hold office for a period of 2 years, one to hold~~
25 ~~office for a period of 4 years and one to hold office for a~~
26 ~~period of 6 years. Immediately, or as soon as may be after~~
27 ~~the effective date of this amendatory Act of 1983, the~~
28 ~~Governor shall appoint 2 members to the commission to the~~
29 ~~offices created by this amendatory Act of 1983, one for an~~
30 ~~initial term expiring the third Monday in January of 1986 and~~
31 ~~one for an initial term expiring the third Monday in January~~
32 ~~of 1988. At the expiration of the term of any such~~
33 ~~commissioner the Governor shall reappoint said commissioner~~

1 er-appoint-a-successor-of-said-commissioner-for-a-period-of-6
2 years.

3 (a) The Governor shall have power to fill vacancies in
4 the office of any commissioner.

5 Notwithstanding--any--provision--of--this--Section--to--the
6 contrary, the term of office of each member of the commission
7 is abolished on the effective date of this amendatory Act of
8 1985, but the incumbent members shall continue to exercise
9 all of the powers and be subject to all of the duties of
10 members of the commission until their respective successors
11 are appointed and qualified.

12 (b) Of the commissioners initially appointed pursuant to
13 this amendatory Act of the 93rd General Assembly, the
14 Governor shall appoint 2 members of the commission whose
15 terms of office shall expire on February 1, 2009 1986, 2
16 members of the commission whose terms of office shall expire
17 on February 1, 2007 1988, and one member of the commission
18 whose term shall expire on February 1, 2005 1990. Their
19 respective successors shall be appointed for terms of 6 years
20 from the first day of February of the year of appointment.
21 Each member shall serve until his successor is appointed and
22 qualified.

23 The--initial--term--of--both--of--the--2--additional--members
24 appointed pursuant to this amendatory Act of the 91st General
25 Assembly shall expire on February 1, 2006.--Their--respective
26 successors--shall--be--appointed--for--terms--of--6--years--from--the
27 first--day--of--February--of--the--year--of--appointment.--Each
28 member--shall--serve--until--his--or--her--successor--is--appointed
29 and qualified.

30 (Source: P.A. 91-798, eff. 7-9-00.)

31 (235 ILCS 5/3-3) (from Ch. 43, par. 99)

32 Sec. 3-3. Quorum; Secretary.

33 (a) If there is no vacancy on the Commission, 4 members

1 of the Commission shall constitute a quorum to transact
2 business; otherwise, a majority of the Commission shall
3 constitute a quorum to transact business, and no vacancy
4 shall impair the right of the remaining members to exercise
5 all of the powers of the Commission. Every action approved
6 by a majority of the members of the Commission shall be
7 deemed to be the action of the Commission. A majority of the
8 commission shall constitute a quorum to transact business,
9 but no vacancy shall impair the right of the remaining
10 commissioners to exercise all of the powers of the
11 commission; and every act of a majority of the members of the
12 commission shall be deemed to be the act of the commission.

13 (b) The Commission shall have a Secretary, appointed by
14 the Governor without the advice and consent of the Senate,
15 who shall keep a record of all proceedings, transactions,
16 communications and official acts of the Commission and who
17 shall be custodian of all records and perform such other
18 duties as the Commission may prescribe.

19 (Source: P.A. 82-783.)

20 (235 ILCS 5/3-9) (from Ch. 43, par. 105)

21 Sec. 3-9. Compensation of commissioners, Secretary, and
22 employees.

23 (a) Members of the Commission shall not be compensated
24 for their service. The chairman of the Commission shall
25 receive an annual salary of \$32,000 or such greater amount as
26 may be set by the Compensation Review Board. The other
27 commissioners shall receive an annual salary of \$28,000 or
28 such greater amount as may be set by the Compensation Review
29 Board.

30 (b) The Secretary of the Commission shall receive an
31 annual salary as set by the Compensation Review Board. All
32 clerks, inspectors, and employees of the Commission shall
33 receive reasonable compensation in an amount fixed by the

1 Commission, subject to the approval in writing of the
2 Governor.

3 (Source: P.A. 91-798, eff. 7-9-00.)

4 (235 ILCS 5/3-10) (from Ch. 43, par. 106)

5 Sec. 3-10. Expenses. The Commissioners, the Secretary,
6 and all clerks, inspectors and other employees shall be
7 reimbursed for all actual and necessary traveling and other
8 expenses and disbursements incurred or made by them in the
9 discharge of their official duties. The Commission may also
10 incur necessary expenses for office furniture and other
11 incidental expenses.

12 A commissioner who experiences a significant financial
13 hardship due to the loss of income on days of attendance at
14 meetings or while otherwise engaged in the business of the
15 Commission may be paid a hardship allowance, as determined by
16 and subject to the approval of the Governor's Travel Control
17 Board.

18 (Source: P.A. 82-783.)

19 Section 410-515. The Head and Spinal Cord Injury Act is
20 amended by changing Sections 0.01, 1, 2, 3, and 6 as follows:

21 (410 ILCS 515/0.01) (from Ch. 111 1/2, par. 7850)

22 Sec. 0.01. Short title. This Act may be cited as the
23 Brain Head and Spinal Cord Injury Act.

24 (Source: P.A. 86-1324.)

25 (410 ILCS 515/1) (from Ch. 111 1/2, par. 7851)

26 Sec. 1. As used in this Act, unless the context clearly
27 indicates otherwise:

28 (a) "Department" means the Department of Public Health.

29 (b) "Brain Head injury" means a sudden insult or damage
30 to the brain or its coverings, not of a degenerative nature,

1 which produces an altered state of consciousness or
2 temporarily or permanently impairs mental, cognitive,
3 behavioral or physical functioning. This includes cerebral
4 vascular accidents and, aneurisms, and Congenital deficits
5 are excluded from this definition.

6 (c) "Spinal cord injury" means an injury that occurs as
7 a result of trauma, which involves spinal vertebral fracture,
8 or where the injured person suffers any of the following
9 effects:

10 (1) effects on the sensory system including
11 numbness, tingling or loss of sensation in the body or in
12 one or more extremities;

13 (2) effects on the motor system including weakness
14 or paralysis in one or more extremities;

15 (3) effects on the visceral system including bowel
16 or bladder dysfunction or hypotension.

17 (d) "Council" means the Brain and Advisory-Council-on
18 Spinal Cord Injury Advisory Council and-Head-Injuries.

19 (Source: P.A. 86-510.)

20 (410 ILCS 515/2) (from Ch. 111 1/2, par. 7852)

21 Sec. 2. Information; reports.

22 (a) The Department shall establish and maintain an
23 information registry and reporting system for the purpose of
24 data collection and needs assessment of persons with brain
25 head and spinal cord injuries injured-persons in this State.

26 (b) Reports of brain head and spinal cord injuries shall
27 be filed with the Department by a hospital administrator or
28 his designee on a quarterly basis.

29 (c) Reporting forms and the manner in which the
30 information is to be reported shall be provided by the
31 Department. Such reports shall include, but shall not be
32 limited to, the following information: name, age, and
33 residence of the injured person, the date and cause of the

1 injury, the initial diagnosis and such other information as
2 may be required by the Department.

3 (Source: P.A. 86-510; 87-691.)

4 (410 ILCS 515/3) (from Ch. 111 1/2, par. 7853)

5 Sec. 3. (a) All reports and records made pursuant to
6 this Act and maintained by the Department and other
7 appropriate persons, officials and institutions pursuant to
8 this Act shall be confidential. Information shall not be
9 made available to any individual or institution except to:

10 (1) appropriate staff of the Department;

11 (2) any person engaged in a bona fide research project,
12 with the permission of the Director of Public Health, except
13 that no information identifying the subjects of the reports
14 or the reporters shall be made available to researchers
15 unless the Department requests and receives consent for such
16 release pursuant to the provisions of this Section; and

17 (3) the Council, except that no information identifying
18 the subjects of the reports or the reporters shall be made
19 available to the Council unless consent for release is
20 requested and received pursuant to the provisions of this
21 Section. Only information pertaining to brain head and
22 spinal cord injuries as defined in Section 1 of this Act
23 shall be released to the Council.

24 (b) The Department shall not reveal the identity of a
25 patient, physician or hospital, except that the identity of
26 the patient may be released upon written consent of the
27 patient, parent or guardian, the identity of the physician
28 may be released upon written consent of the physician, and
29 the identity of the hospital may be released upon written
30 consent of the hospital.

31 (c) The Department shall request consent for release
32 from a patient, a physician or hospital only upon a showing
33 by the applicant for such release that obtaining the

1 identities of certain patients, physicians or hospitals is
2 necessary for his bonafide research directly related to the
3 objectives of this Act.

4 (d) The Department shall at least annually compile a
5 report of the data accumulated through the reporting system
6 established under Section 2 of this Act and shall submit such
7 data relating to spinal cord injuries and brain head injuries
8 in accordance with confidentiality restrictions established
9 pursuant to this Act to the Council.

10 (Source: P.A. 86-510.)

11 (410 ILCS 515/6) (from Ch. 111 1/2, par. 7856)

12 Sec. 6. Advisory Council.

13 (a) There is hereby created the Brain and Advisory
14 Council-on Spinal Cord Injury Advisory Council and--Head
15 Injuries within the Department of Human Services.

16 Until July 1, 2003 or when all of the new members to be
17 initially appointed under this amendatory Act of the 93rd
18 General Assembly have been appointed by the Governor,
19 whichever occurs later, the Council shall consist of 29
20 members, appointed by the Governor with the advice and
21 consent of the Senate. ~~Members shall serve 3-year terms--and~~
22 ~~until their successors are appointed by the Governor with the~~
23 ~~advice--and--consent of the Senate.--The members appointed by~~
24 ~~the Governor shall--include--2--neurosurgeons,--2--orthopedic~~
25 ~~surgeons,--2--rehabilitation specialists,--one of whom shall be~~
26 ~~a registered nurse,--4--persons with head--injuries--or--family~~
27 ~~members--of--persons with head injuries,--4--persons with spinal~~
28 ~~cord injuries or family members of persons with--spinal--cord~~
29 ~~injuries,--a--representative--of--an--Illinois--college--or~~
30 ~~university,--and--a--representative from health institutions--or~~
31 ~~private--industry.--These members shall not serve more than 2~~
32 ~~consecutive 3-year terms.--The--Governor--shall--appoint--one~~
33 ~~individual from each of the following entities to the Council~~

1 as--ex-officio--members--the-unit-of-the-Department-of-Human
2 Services-that-is-responsible-for-the--administration--of--the
3 vocational--rehabilitation--program,--another-unit-within-the
4 Department-of--Human--Services--that--provides--services--for
5 individuals--with-disabilities,--the-State-Board-of-Education,
6 the-Department-of-Public-Health,--the-Department-of-Insurance,
7 the-Department-of-Public-Aid,--the--Division--of--Specialized
8 Care---for--Children--of--the--University--of--Illinois,--the
9 Statewide--Independent--Living---Council,---and---the---State
10 Rehabilitation--Advisory-Council.--Ex-officio-members-are-not
11 subject--to--limit--of--2--consecutive--3-year--terms. The
12 appointment of individuals representing State agencies shall
13 be conditioned on their continued employment with their
14 respective agencies.

15 The term of each appointed member of the Council who is
16 in office on June 30, 2003 shall terminate at the close of
17 business on that date or when all of the new members to be
18 initially appointed under this amendatory Act of the 93rd
19 General Assembly have been appointed by the Governor,
20 whichever occurs later.

21 (a-5) Beginning on July 1, 2003 or when all of the new
22 members to be initially appointed under this amendatory Act
23 of the 93rd General Assembly have been appointed by the
24 Governor, whichever occurs later, the Council shall consist
25 of 10 individual members and 5 agency members appointed by
26 the Governor with the advice and consent of the Senate.

27 The individual members appointed by the Governor shall
28 consist of 2 physicians, one of whom specializes in the care
29 and rehabilitation of persons with brain injury and one of
30 whom specializes in the care and rehabilitation of persons
31 with spinal cord injury; 2 rehabilitation therapists, one of
32 whom specializes in the care and rehabilitation of persons
33 with brain injury and one of whom specializes in the care and
34 rehabilitation of persons with spinal cord injury; one

1 certified rehabilitation registered nurse (CRRN); 2 persons
2 with brain injury or family members of persons with brain
3 injury; 2 persons with spinal cord injury or family members
4 of persons with spinal cord injury; and one person affiliated
5 with a health care institution. Individual members shall not
6 serve more than 2 consecutive 3-year terms.

7 The agency members appointed by the Governor shall
8 consist of one representative of each of the following
9 agencies: the Brain Injury Association of Illinois; the
10 Spinal Cord Injury Association of Illinois; the unit within
11 the Department of Human Services that provides services for
12 individuals with disabilities; the State Board of Education;
13 and the Division of Specialized Care for Children of the
14 University of Illinois. The appointments of agency members
15 shall be conditioned on their continued employment with their
16 respective agencies. Agency members are not subject to any
17 limit on consecutive terms.

18 Of the members initially appointed pursuant to this
19 amendatory Act of the 93rd General Assembly, 5 shall be
20 appointed for terms of one year, 5 shall be appointed for
21 terms of 2 years, and 5 shall be appointed for terms of 3
22 years, and until their successors have been appointed and
23 qualified. Thereafter, members shall be appointed for 3-year
24 terms and until their successors have been appointed and
25 qualified.

26 (b) From funds appropriated for such purpose, the
27 Department of Human Services shall provide to the Council the
28 necessary staff and expenses to carry out the duties and
29 responsibilities assigned by the Council. The Council shall
30 have a director, who shall be appointed by the Governor
31 without the advice and consent of the Senate. The salary of
32 the director shall be fixed and paid by the Department of
33 Human Services. The duties of the director shall be fixed by
34 the Council. Sneh-staff-shall-consist-of-a-director-and-other

1 support-staff-

2 (c) Meetings shall be held at least every 90 days or at
3 the call of the Council chairman, who shall be appointed by
4 the Governor from among the members of ~~elected--by~~ the
5 Council.

6 (d) Each member shall be reimbursed for reasonable and
7 necessary expenses actually incurred in the performance of
8 his official duties. A member who experiences a significant
9 financial hardship due to the loss of income on days of
10 attendance at meetings or while otherwise engaged in the
11 business of the Council may be paid a hardship allowance, as
12 determined by and subject to the approval of the Governor's
13 Travel Control Board.

14 (e) The Council shall adopt written procedures to govern
15 its activities. Consultants shall be provided for the
16 Council from appropriations made for such purpose.

17 (f) The Council shall make recommendations to the
18 Governor for developing and administering a State plan to
19 provide services for persons with brain injury and persons
20 with spinal cord injury and head-injured persons.

21 (g) No member of the Council may participate in or seek
22 to influence a decision or vote of the Council if the member
23 would be directly involved with the matter or if he would
24 derive income from it. A violation of this prohibition shall
25 be grounds for a person to be removed as a member of the
26 Council by the Governor.

27 (h) The Council shall:

28 (1) promote meetings and programs for the
29 discussion of reducing the debilitating effects of brain
30 injuries and spinal cord ~~and--head~~ injuries and
31 disseminate information in cooperation with any other
32 department, agency or entity on the prevention,
33 evaluation, care, treatment and rehabilitation of persons
34 affected by brain injuries and spinal cord ~~and--head~~

1 injuries;

2 (2) study and review current prevention,
3 evaluation, care, treatment and rehabilitation
4 technologies and recommend appropriate preparation,
5 training, retraining and distribution of manpower and
6 resources in the provision of services to persons with
7 brain injury and spinal cord injury and--head--injured
8 persens through private and public residential
9 facilities, day programs and other specialized services;

10 (3) recommend specific methods, means and
11 procedures which should be adopted to improve and upgrade
12 the State's service delivery system for persons with
13 brain injury and persons with spinal cord injury in and
14 head-injured-citizens-of this State;

15 (4) participate in developing and disseminating
16 criteria and standards which may be required for future
17 funding or licensing of facilities, day programs and
18 other specialized services for persons with brain injury
19 and persons with spinal cord injury and--head--injured
20 persens in this State;

21 (5) report annually to the Governor and the General
22 Assembly on its activities, and on the results of its
23 studies and the recommendations of the Council; and

24 (6) be the advisory board for purposes of federal
25 programs regarding traumatic brain injury.

26 (i) The Department of Human Services may accept on
27 behalf of the Council federal funds, gifts and donations from
28 individuals, private organizations and foundations, and any
29 other funds that may become available.

30 (Source: P.A. 89-507, eff. 7-1-97; 90-453, eff. 8-16-97.)

31 Section 415-5. The Environmental Protection Act is
32 amended by changing Section 5 as follows:

1 (415 ILCS 5/5) (from Ch. 111 1/2, par. 1005)

2 Sec. 5. Pollution Control Board.

3 (a) There is hereby created an independent board to be
4 known as the Pollution Control Board, ~~7~~-consisting

5 Until July 1, 2003 or when all of the new members to be
6 initially appointed under this amendatory Act of the 93rd
7 General Assembly have been appointed by the Governor,
8 whichever occurs later, the Board shall consist of 7
9 technically qualified members, no more than 4 of whom may be
10 of the same political party, to be appointed by the Governor
11 with the advice and consent of the Senate.

12 The term of each appointed member of the Board who is in
13 office on June 30, 2003 shall terminate at the close of
14 business on that date or when all of the new members to be
15 initially appointed under this amendatory Act of the 93rd
16 General Assembly have been appointed by the Governor,
17 whichever occurs later.

18 Beginning on July 1, 2003 or when all of the new members
19 to be initially appointed under this amendatory Act of the
20 93rd General Assembly have been appointed by the Governor,
21 whichever occurs later, the Board shall consist of 5
22 technically qualified members, no more than 3 of whom may be
23 of the same political party, to be appointed by the Governor
24 with the advice and consent of the Senate. Members shall
25 have verifiable technical, academic, or actual experience in
26 the field of pollution control or environmental law and
27 regulation.

28 Of the members initially appointed pursuant to this
29 amendatory Act of the 93rd General Assembly, one shall be
30 appointed for a term ending July 1, 2004, 2 shall be
31 appointed for terms ending July 1, 2005, and 2 shall be
32 appointed for terms ending July 1, 2006. Thereafter, all
33 members shall hold office for 3 years from the first day of
34 July in the year in which they were appointed, except in case

1 of an appointment to fill a vacancy. In case of a vacancy in
2 the office when the Senate is not in session, the Governor
3 may make a temporary appointment until the next meeting of
4 the Senate, when he or she shall nominate some person to fill
5 such office; and any person so nominated, who is confirmed by
6 the Senate, shall hold the office during the remainder of the
7 term.

8 Members of the Board shall hold office until their
9 respective successors have been appointed and qualified. Any
10 member may resign from office, such resignation to take
11 effect when a successor has been appointed and has qualified.

12 Board members shall be paid \$37,000 per year or an amount
13 set by the Compensation Review Board, whichever is greater,
14 and the Chairman shall be paid \$43,000 per year or an amount
15 set by the Compensation Review Board, whichever is greater.
16 Each member shall devote his or her entire time to the duties
17 of the office, and shall hold no other office or position of
18 profit, nor engage in any other business, employment, or
19 vocation. Each member shall be reimbursed for expenses
20 necessarily incurred, ~~shall devote full time to the~~
21 ~~performance of his or her duties~~ and shall make a financial
22 disclosure upon appointment.

23 Each Board member may employ one secretary and one
24 assistant, and the Chairman one secretary and 2 assistants.
25 The Board also may employ and compensate hearing officers to
26 preside at hearings under this Act, and such other personnel
27 as may be necessary. Hearing officers shall be attorneys
28 licensed to practice law in Illinois.

29 The Board shall have an Executive Director, who shall be
30 appointed by the Governor without the advice and consent of
31 the Senate. The salary and duties of the Executive Director
32 shall be fixed by the Board.

33 The Governor shall designate one Board member to be
34 Chairman, who shall serve at the pleasure of the Governor.

1 The Board shall hold at least one meeting each month and
2 such additional meetings as may be prescribed by Board rules.
3 In addition, special meetings may be called by the Chairman
4 or by any 2 Board members, upon delivery of 24 hours written
5 notice to the office of each member. All Board meetings
6 shall be open to the public, and public notice of all
7 meetings shall be given at least 24 hours in advance of each
8 meeting. In emergency situations in which a majority of the
9 Board certifies that exigencies of time require the
10 requirements of public notice and of 24 hour written notice
11 to members may be dispensed with, and Board members shall
12 receive such notice as is reasonable under the circumstances.

13 If there is no vacancy on the Board, 4 members of the
14 Board shall constitute a quorum to transact business;
15 otherwise, a majority of the Board shall constitute a quorum
16 to transact business, and no vacancy shall impair the right
17 of the remaining members to exercise all of the powers of the
18 Board. Every action approved by a majority of the members of
19 the Board shall be deemed to be the action of the Board. Four
20 ~~members--of--the-Board-shall-constitute-a-quorum,--and-4-votes~~
21 ~~shall-be-required-for-any-final-determination-by--the--Board,~~
22 ~~except--in--a-proceeding-to-remove-a-seal-under-paragraph-(d)~~
23 ~~of-Section-34-of-this-Act.~~ The Board shall keep a complete
24 and accurate record of all its meetings.

25 (b) The Board shall determine, define and implement the
26 environmental control standards applicable in the State of
27 Illinois and may adopt rules and regulations in accordance
28 with Title VII of this Act.

29 (c) The Board shall have authority to act for the State
30 in regard to the adoption of standards for submission to the
31 United States under any federal law respecting environmental
32 protection. Such standards shall be adopted in accordance
33 with Title VII of the Act and upon adoption shall be
34 forwarded to the Environmental Protection Agency for

1 submission to the United States pursuant to subsections (l)
2 and (m) of Section 4 of this Act. Nothing in this paragraph
3 shall limit the discretion of the Governor to delegate
4 authority granted to the Governor under any federal law.

5 (d) The Board shall have authority to conduct
6 proceedings upon complaints charging violations of this Act,
7 any rule or regulation adopted under this Act, or any permit
8 or term or condition of a permit; upon administrative
9 citations; upon petitions for variances or adjusted
10 standards; upon petitions for review of the Agency's final
11 determinations on permit applications in accordance with
12 Title X of this Act; upon petitions to remove seals under
13 Section 34 of this Act; and upon other petitions for review
14 of final determinations which are made pursuant to this Act
15 or Board rule and which involve a subject which the Board is
16 authorized to regulate. The Board may also conduct other
17 proceedings as may be provided by this Act or any other
18 statute or rule.

19 (e) In connection with any proceeding pursuant to
20 subsection (b) or (d) of this Section, the Board may subpoena
21 and compel the attendance of witnesses and the production of
22 evidence reasonably necessary to resolution of the matter
23 under consideration. The Board shall issue such subpoenas
24 upon the request of any party to a proceeding under
25 subsection (d) of this Section or upon its own motion.

26 (f) The Board may prescribe reasonable fees for permits
27 required pursuant to this Act. Such fees in the aggregate
28 may not exceed the total cost to the Agency for its
29 inspection and permit systems. The Board may not prescribe
30 any permit fees which are different in amount from those
31 established by this Act.

32 (Source: P.A. 92-574, eff. 6-26-02.)

33 Section 420-20. The Illinois Low-Level Radioactive Waste

1 Management Act is amended by changing Section 10.2 as
2 follows:

3 (420 ILCS 20/10.2) (from Ch. 111 1/2, par. 241-10.2)

4 Sec. 10.2. Creation of Low-Level Radioactive Waste Task
5 Group; adoption of criteria; selection of site for
6 characterization.

7 (a) There is hereby created the Low-Level Radioactive
8 Waste Task Group consisting of the Directors of the
9 Environmental Protection Agency, the Department of Natural
10 Resources, and the Department of Nuclear Safety (or their
11 designees) and 6 additional members designated by the
12 Governor. The 6 additional members shall ~~be confirmed~~
13 ~~by the Senate; and (2) receive compensation of \$300 per day~~
14 ~~for their services on the Task Group unless they are officers~~
15 ~~or employees of the State, in which case they shall receive~~
16 ~~no additional compensation.~~

17 Four of the additional members shall have expertise in
18 the field of geology, hydrogeology, or hydrology. Of the 2
19 remaining additional members, one shall be a member of the
20 public with experience in environmental matters and one shall
21 have at least 5 years experience in local government.

22 Members of the Task Group ~~The Directors of the~~
23 ~~Environmental Protection Agency, the Department of Natural~~
24 ~~Resources, and the Department of Nuclear Safety (or their~~
25 ~~designees)~~ shall receive no additional compensation for their
26 service on the Task Group. All members of the Task Group
27 shall be compensated for their expenses. A member of the
28 Task Group who experiences a significant financial hardship
29 due to the loss of income on days of attendance at meetings
30 or while otherwise engaged in the business of the Task Group
31 may be paid a hardship allowance, as determined by and
32 subject to the approval of the Governor's Travel Control
33 Board.

1 The Governor shall designate the chairman of the Task
2 Group. Upon adoption of the criteria under subsection (b) of
3 this Section, the Directors of the Department of Nuclear
4 Safety and the Environmental Protection Agency shall be
5 replaced on the Task Group by members designated by the
6 Governor and confirmed by the Senate. The members designated
7 to replace the Directors of the Department of Nuclear Safety
8 and the Environmental Protection Agency shall have such
9 expertise as the Governor may determine. The members of the
10 Task Group shall be members until they resign, are replaced
11 by the Governor, or the Task Group is abolished. Except as
12 provided in this Act, the Task Group shall be subject to the
13 Open Meetings Act and the Illinois Administrative Procedure
14 Act. Any action required to be taken by the Task Group under
15 this Act shall be taken by a majority vote of its members. An
16 identical vote by 5 members of the Task Group shall
17 constitute a majority vote.

18 (b) To protect the public health, safety and welfare,
19 the Task Group shall develop proposed criteria for selection
20 of a site for a regional disposal facility. Principal
21 criteria shall relate to the geographic, geologic,
22 seismologic, tectonic, hydrologic, and other scientific
23 conditions best suited for a regional disposal facility.
24 Supplemental criteria may relate to land use (including (i)
25 the location of existing underground mines and (ii) the
26 exclusion of State parks, State conservation areas, and other
27 State owned lands identified by the Task Group), economics,
28 transportation, meteorology, and any other matter identified
29 by the Task Group as relating to desirable conditions for a
30 regional disposal facility. All of the criteria shall be as
31 specific as possible.

32 The chairman of the Task Group shall publish a notice of
33 availability of the proposed criteria in the State newspaper,
34 make copies of the proposed criteria available without charge

1 to the public, and hold public hearings to receive comments
2 on the proposed criteria. Written comments on the proposed
3 criteria may be submitted to the chairman of the Task Group
4 within a time period to be determined by the Task Group.
5 Upon completion of the review of timely submitted comments on
6 the proposed criteria, the Task Group shall adopt criteria
7 for selection of a site for a regional disposal facility.
8 Adoption of the criteria is not subject to the Illinois
9 Administrative Procedure Act. The chairman of the Task Group
10 shall provide copies of the criteria to the Governor, the
11 President and Minority Leader of the Senate, the Speaker and
12 Minority Leader of the House, and all county boards in the
13 State of Illinois and shall make copies of the criteria
14 available without charge to the public.

15 (c) Upon adoption of the criteria, the Director of
16 Natural Resources shall direct the Scientific Surveys to
17 screen the State of Illinois. By September 30, 1997, the
18 Scientific Surveys shall (i) complete a Statewide screening
19 of the State using available information and the Surveys'
20 geography-based information system to produce individual and
21 composite maps showing the application of individual
22 criteria; (ii) complete the evaluation of all land
23 volunteered before the effective date of this amendatory Act
24 of 1997 to determine whether any of the volunteered land
25 appears likely to satisfy the criteria; (iii) document the
26 results of the screening and volunteer site evaluations in a
27 written report and submit the report to the chairman of the
28 Task Group and to the Director; and (iv) transmit to the Task
29 Group and to the Department, in a form specified by the Task
30 Group and the Department, all information and documents
31 assembled by the Scientific Surveys in performing the
32 obligations of the Scientific Surveys under this Act. Upon
33 completion of the screening and volunteer site evaluation
34 process, the Director of the Department of Natural Resources

1 shall be replaced on the Task Group by a member appointed by
2 the Governor and confirmed by the Senate. The member
3 appointed to replace the Director of the Department of
4 Natural Resources shall have expertise that the Governor
5 determines to be appropriate.

6 (c-3) By December 1, 2000, the Department, in
7 consultation with the Task Group, waste generators, and any
8 interested counties and municipalities and after holding 3
9 public hearings throughout the State, shall prepare a report
10 regarding, at a minimum, the impact and ramifications, if
11 any, of the following factors and circumstances on the
12 siting, design, licensure, development, construction,
13 operation, closure, and post-closure care of a regional
14 disposal facility:

15 (1) the federal, state, and regional programs for
16 the siting, development, and operation of disposal
17 facilities for low-level radioactive wastes and the
18 nature, extent, and likelihood of any legislative or
19 administrative changes to those programs;

20 (2) (blank);

21 (3) the current and most reliable projections
22 regarding the costs of the siting, design, development,
23 construction, operation, closure, decommissioning, and
24 post-closure care of a regional disposal facility;

25 (4) the current and most reliable estimates of the
26 total volume of low-level radioactive waste that will be
27 disposed at a regional disposal facility in Illinois and
28 the projected annual volume amounts;

29 (5) the nature and extent of the available, if any,
30 storage and disposal facilities outside the region of the
31 Compact for storage and disposal of low-level radioactive
32 waste generated from within the region of the Compact;
33 and

34 (6) the development and implementation of a

1 voluntary site selection process in which land may be
2 volunteered for the regional disposal facility jointly by
3 landowners and (i) the municipality in which the land is
4 located, (ii) every municipality within 1 1/2 miles of
5 the land if the land is not within a municipality, or
6 (iii) the county or counties in which the land is located
7 if the land is not within a municipality and not within 1
8 1/2 miles of a municipality. The Director shall provide
9 copies of the report to the Governor, the President and
10 Minority Leader of the Senate, and the Speaker and
11 Minority Leader of the House. The Director shall also
12 publish a notice of availability of the report in the
13 State newspaper and make copies of the report available
14 without charge to the public.

15 (c-5) Following submittal of the report pursuant to
16 subsection (c-3) of this Section, the Department may adopt
17 rules establishing a site selection process for the regional
18 disposal facility. In developing rules, the Department
19 shall, at a minimum, consider the following:

20 (1) A comprehensive and open process under which
21 the land for sites recommended and proposed by the
22 contractor under subsection (e) of this Section shall be
23 volunteered lands as provided in this Section. Land may
24 be volunteered for the regional disposal facility jointly
25 by landowners and (i) the municipality in which the land
26 is located, (ii) every municipality with 1 1/2 miles of
27 the land if the land is not within a municipality, or
28 (iii) the county or counties in which the land is located
29 if the land is not within a municipality and not within 1
30 1/2 miles of a municipality.

31 (2) Utilization of the State screening and
32 volunteer site evaluation report prepared by the
33 Scientific Surveys under subsection (c) of this Section
34 for the purpose of determining whether proposed sites

1 appear likely to satisfy the site selection criteria.

2 (3) Coordination of the site selection process with
3 the projected annual and total volume of low-level
4 radioactive waste to be disposed at the regional disposal
5 facility as identified in the report prepared under
6 subsection (c-3) of this Section.

7 The site selection process established under this
8 subsection shall require the contractor selected by the
9 Department pursuant to Sections 5 and 10 of this Act to
10 propose one site to the Task Group for approval under
11 subsections (d) through (i) of this Section.

12 No proposed site shall be selected as the site for the
13 regional disposal facility unless it satisfies the site
14 selection criteria established by the Task Group under
15 subsection (b) of this Section.

16 (d) The contractor selected by the Department under
17 Sections 5 and 10 of this Act shall conduct evaluations,
18 including possible intrusive field investigations, of the
19 sites and locations identified under the site selection
20 process established under subsection (c-5) of this Section.

21 (e) Upon completion of the site evaluations, the
22 contractor selected by the Department shall identify one site
23 of at least 640 acres that appears promising for development
24 of the regional disposal facility in compliance with the site
25 selection criteria established by the Task Group pursuant to
26 subsection (b) of this Section. The contractor may conduct
27 any other evaluation of the site identified under this
28 subsection that the contractor deems appropriate to determine
29 whether the site satisfies the criteria adopted under
30 subsection (b) of this Section. Upon completion of the
31 evaluations under this subsection, the contractor shall
32 prepare and submit to the Department a report on the
33 evaluation of the identified site, including a recommendation
34 as to whether the identified site should be further

1 considered for selection as a site for the regional disposal
2 facility. A site so recommended for further consideration is
3 hereinafter referred to as a "proposed site".

4 (f) A report completed under subsection (e) of this
5 Section that recommends a proposed site shall also be
6 submitted to the chairman of the Task Group. Within 45 days
7 following receipt of a report, the chairman of the Task Group
8 shall publish in newspapers of general circulation in the
9 county or counties in which a proposed site is located a
10 notice of the availability of the report and a notice of a
11 public meeting. The chairman of the Task Group shall also,
12 within the 45-day period, provide copies of the report and
13 the notice to the Governor, the President and Minority Leader
14 of the Senate, the Speaker and Minority Leader of the House,
15 members of the General Assembly from the legislative district
16 or districts in which a proposed site is located, the county
17 board or boards of the county or counties containing a
18 proposed site, and each city, village, and incorporated town
19 within a 5 mile radius of a proposed site. The chairman of
20 the Task Group shall make copies of the report available
21 without charge to the public.

22 (g) The chairman of the Task Group shall convene at
23 least one public meeting on each proposed site. At the
24 public meeting or meetings, the contractor selected by the
25 Department shall present the results of the evaluation of the
26 proposed site. The Task Group shall receive such other
27 written and oral information about the proposed site that may
28 be submitted at the meeting. Following the meeting, the Task
29 Group shall decide whether the proposed site satisfies the
30 criteria adopted under subsection (b) of this Section. If
31 the Task Group determines that the proposed site does not
32 satisfy the criteria, the Department may require a contractor
33 to submit a further report pursuant to subsection (e) of this
34 Section proposing another site from the locations identified

1 under the site selection process established pursuant to
2 subsection (c-5) of this Section as likely to satisfy the
3 criteria. Following notice and distribution of the report as
4 required by subsection (f) of this Section, the new proposed
5 site shall be the subject of a public meeting under this
6 subsection. The contractor selected by the Department shall
7 propose additional sites, and the Task Group shall conduct
8 additional public meetings, until the Task Group has approved
9 a proposed site recommended by a contractor as satisfying the
10 criteria adopted under subsection (b) of this Section. In
11 the event that the Task Group does not approve any of the
12 proposed sites recommended by the contractor under this
13 subsection as satisfying the criteria adopted under
14 subsection (b) of this Section, the Task Group shall
15 immediately suspend all work and the Department shall prepare
16 a study containing, at a minimum, the Department's
17 recommendations regarding the viability of the site selection
18 process established pursuant to this Act, based on the
19 factors and circumstances specified in items (1) through (6)
20 of subsection (c-3) of Section 10.2. The Department shall
21 provide copies of the study to the Governor, the President
22 and Minority Leader of the Senate, and the Speaker and
23 Minority Leader of the House. The Department shall also
24 publish a notice of availability of the study in the State
25 newspaper and make copies of the report available without
26 charge to the public.

27 (h) (Blank).

28 (i) Upon the Task Group's decision that a proposed site
29 satisfies the criteria adopted under subsection (b) of this
30 Section, the contractor shall proceed with the
31 characterization and licensure of the proposed site under
32 Section 10.3 of this Act and the Task Group shall immediately
33 suspend all work, except as otherwise specifically required
34 in subsection (b) of Section 10.3 of this Act.

1 (Source: P.A. 90-29, eff. 6-26-97; 91-601, eff. 8-16-99.)

2 Section 430-85. The Carnival and Amusement Rides Safety
3 Act is amended by changing Section 2-5 as follows:

4 (430 ILCS 85/2-5) (from Ch. 111 1/2, par. 4055)

5 Sec. 2-5. Expenses. The members of the Board who are
6 appointed by the Governor shall not receive compensation for
7 their services but ~~at--the-rate-of-\$36-per-day-for-meeting~~
8 ~~days-and~~ shall be entitled to actual and necessary expenses
9 while conducting the business of the Board. A member of the
10 Board who experiences a significant financial hardship due to
11 the loss of income on days of attendance at meetings or while
12 otherwise engaged in the business of the Board may be paid a
13 hardship allowance, as determined by and subject to the
14 approval of the Governor's Travel Control Board.

15 (Source: P.A. 83-1240.)

16 Section 605-10. The Toll Highway Act is amended by
17 changing Sections 3, 4, 5, and 6 as follows:

18 (605 ILCS 10/3) (from Ch. 121, par. 100-3)

19 Sec. 3. Authority; appointments. There is hereby created
20 an Authority to be known as The Illinois State Toll Highway
21 Authority, which is hereby constituted an instrumentality and
22 an administrative agency of the State of Illinois.

23 Until July 1, 2003 or when all of the new members to be
24 initially appointed under this amendatory Act of the 93rd
25 General Assembly have been appointed by the Governor,
26 whichever occurs later, the said Authority shall consist of
27 11 directors; the Governor and the Secretary of the
28 Department of Transportation, ex officio, and 9 directors
29 appointed by the Governor with the advice and consent of the
30 Senate, from the State at large, which said directors and

1 their successors are hereby authorized to carry out the
2 provisions of this Act, and to exercise the powers herein
3 conferred.

4 The term of each appointed member of the Authority who is
5 in office on June 30, 2003 shall terminate at the close of
6 business on that date or when all of the new members to be
7 initially appointed under this amendatory Act of the 93rd
8 General Assembly have been appointed by the Governor,
9 whichever occurs later.

10 Beginning on July 1, 2003 or when all of the new members
11 to be initially appointed under this amendatory Act of the
12 93rd General Assembly have been appointed by the Governor,
13 whichever occurs later, the Authority shall consist of 9
14 directors: the Governor and the Secretary of Transportation,
15 ex officio, and 7 directors appointed by the Governor with
16 the advice and consent of the Senate, from the State at
17 large; which directors are hereby authorized to carry out the
18 provisions of this Act and to exercise the powers herein
19 conferred.

20 Of the 7 ~~the-9~~ directors appointed by the Governor, no
21 more than 4 ~~than--5~~ shall be members of the same political
22 party. Vacancies shall be filled for the unexpired term in
23 the same manner as original appointments. All appointments
24 shall be in writing and filed with the Secretary of State as
25 a public record. It is the intention of this Section that
26 the Governor's appointments shall be made with due
27 consideration to the location of proposed toll highway routes
28 so that maximum geographic representation from the areas
29 served by said toll highway routes may be accomplished
30 insofar as practicable.

31 The said Authority shall have the power to contract and
32 be contracted with, to acquire, hold and convey personal and
33 real property or any interest therein including rights of
34 way, franchises and easements; to have and use a common seal,

1 and to alter the same at will; to make and establish
2 resolutions, by-laws, rules, rates and regulations, and to
3 alter or repeal the same as the Authority shall deem
4 necessary and expedient for the construction, operation,
5 relocation, regulation and maintenance of a system of toll
6 highways within and through the State of Illinois.

7 ~~Appointment-of-the-additional-directors-provided--for--by~~
8 ~~this--amendatory--Act--of--1980--shall-be-made-within-30-days~~
9 ~~after-the-effective-date-of-this-amendatory-Act-of-1980-~~

10 (Source: P.A. 86-1164.)

11 (605 ILCS 10/4) (from Ch. 121, par. 100-4)

12 Sec. 4. Chairman. Of the directors appointed by the
13 Governor, one such director shall be appointed by the
14 Governor as chairman and shall hold office for 4 years from
15 the date of his appointment, and until his successor shall be
16 duly appointed and qualified, but shall be subject to removal
17 by the Governor for incompetency, neglect of duty or
18 malfeasance.

19 The chairman shall preside at all meetings of the Board
20 of Directors of the Authority; shall exercise general
21 supervision over all powers, duties, obligations and
22 functions of the Authority; and shall approve or disapprove
23 all resolutions, by-laws, rules, rates and regulations made
24 and established by the Board of Directors, and if he shall
25 approve thereof, he shall sign the same, and such as he shall
26 not approve he shall return to the Board of Directors with
27 his objections thereto in writing at the next regular meeting
28 of the Board of Directors occurring after the passage
29 thereof. Such veto may extend to any one or more items
30 contained in such resolution, by-law, rule, rate or
31 regulation, or to its entirety; and in case the veto extends
32 to a part of such resolution, by-law, rule, rate or
33 regulation, the residue thereof shall take effect and be in

1 force, but in case the chairman shall fail to return any
2 resolution, by-law, rule, rate or regulation with his
3 objections thereto by the time aforesaid, he shall be deemed
4 to have approved the same, and the same shall take effect
5 accordingly. Upon the return of any resolution, by-law, rule,
6 rate or regulation by the chairman, the vote by which the
7 same was passed shall be reconsidered by the Board of
8 Directors, and if upon such reconsideration two-thirds of all
9 the Directors agree by yeas and nays to pass the same, it
10 shall go into effect notwithstanding the chairman's refusal
11 to approve thereof.

12 ~~The chairman shall receive a salary of \$18,000 per annum,~~
13 ~~or as set by the Compensation Review Board, whichever is~~
14 ~~greater, payable in monthly installments, together with~~
15 ~~reimbursement for necessary expenses incurred in the~~
16 ~~performance of his duties.~~

17 The chairman shall be eligible for reappointment.

18 (Source: P.A. 83-1177.)

19 (605 ILCS 10/5) (from Ch. 121, par. 100-5)

20 Sec. 5. Terms; expenses. Of the original directors,
21 other than the chairman, so appointed by the Governor
22 pursuant to this amendatory Act of the 93rd General Assembly,
23 3 shall hold office for 2 years and 3 shall hold office for 4
24 years, from the date of their appointment and until their
25 respective successors shall be duly appointed and qualified,
26 but shall be subject to removal by the Governor for
27 incompetency, neglect of duty or malfeasance. In case of
28 vacancies in such offices during the recess of the Senate,
29 the Governor shall make a temporary appointment until the
30 next meeting of the Senate when he shall nominate some person
31 to fill such office and any person so nominated, who is
32 confirmed by the Senate, shall hold office during the
33 remainder of the term and until his successor shall be

1 appointed and qualified. The respective term of the first
2 directors appointed shall be designated by the Governor at
3 the time of appointment, but their successors shall each be
4 appointed for a term of four years, except that any person
5 appointed to fill a vacancy shall serve only for the
6 unexpired term. Directors shall be eligible for
7 reappointment.

8 Directors, including the Chairman, shall not be
9 compensated for their service on the Authority, but may be
10 reimbursed for the necessary expenses incurred in the
11 performance of their duties. A director who experiences a
12 significant financial hardship due to the loss of income on
13 days of attendance at meetings or while otherwise engaged in
14 the business of the Authority may be paid a hardship
15 allowance, as determined by and subject to the approval of
16 the Governor's Travel Control Board.

17 ~~In-making-the-initial-appointments-of--the--2--additional~~
18 ~~directors--provided--for--by--this--amendatory--Act--of--1980,--the~~
19 ~~respective--terms--of--the--2--additional--directors--first~~
20 ~~appointed--shall--be--designated--by--the--Governor--at--the--time--of~~
21 ~~appointment--in--such--manner--that--the--term--of--one--such~~
22 ~~additional--director--shall--expire--at--the--same--time--as--the~~
23 ~~terms--of--4--of--the--other--directors--and--the--term--of--the--other~~
24 ~~additional--director--shall--expire--at--the--same--time--as--the~~
25 ~~terms--of--3--of--the--other--directors;--thereafter--the--terms--shall~~
26 ~~be--4--years.~~

27 ~~Each--such--director,--other--than--ex-officio--members--shall~~
28 ~~receive--an--annual--salary--of--\$15,000,--or--as--set--by--the~~
29 ~~Compensation--Review--Board,--whichever--is--greater,--payable--in~~
30 ~~monthly--installments,--and--shall--be--reimbursed--for--necessary~~
31 ~~expenses--incurred--in--the--performance--of--his--duties.~~

32 (Source: P.A. 86-1164.)

1 Sec. 6. Secretary; Executive Director; quorum.
2 Immediately after such appointment and qualification as
3 hereinafter provided said chairman and directors shall enter
4 upon their duties.

5 The directors shall biennially select a secretary, who
6 may or may not be a director, and if not a director fix his
7 compensation.

8 The Authority shall have an Executive Director, who shall
9 be appointed by the Governor without the advice and consent
10 of the Senate. The salary and duties of the Executive
11 Director shall be fixed by the directors.

12 Five ~~Six~~ directors shall constitute a quorum. No vacancy
13 in the said Board of Directors shall impair the right of a
14 quorum of the directors to exercise all the rights and
15 perform all the duties of the Authority.

16 (Source: P.A. 81-1363.)

17 Section 705-505. The Court of Claims Act is amended by
18 changing Sections 1, 2, 4, and 16 as follows:

19 (705 ILCS 505/1) (from Ch. 37, par. 439.1)

20 Sec. 1. Creation, appointment. The Court of Claims,
21 hereinafter called the Court, is created.

22 Until July 1, 2003 or when all of the new judges to be
23 initially appointed under this amendatory Act of the 93rd
24 General Assembly have been appointed by the Governor,
25 whichever occurs later, the Court ~~It~~ shall consist of 7
26 judges, who are attorneys licensed to practice law in the
27 State of Illinois, to be appointed by the Governor by and
28 with the advice and consent of the Senate, one of whom shall
29 be appointed chief justice.

30 The term of each appointed judge of the Court who is in
31 office on June 30, 2003 shall terminate at the close of
32 business on that date or when all of the new judges to be

1 initially appointed under this amendatory Act of the 93rd
2 General Assembly have been appointed by the Governor,
3 whichever occurs later.

4 Beginning on July 1, 2003 or when all of the new judges
5 to be initially appointed under this amendatory Act of the
6 93rd General Assembly have been appointed by the Governor,
7 whichever occurs later, the Court shall consist of 5 judges
8 who are attorneys licensed to practice law in the State of
9 Illinois, to be appointed by the Governor by and with the
10 advice and consent of the Senate, one of whom shall be
11 appointed chief justice. No more than 3 of the judges may be
12 of the same political party.

13 In case of vacancy in such office during the recess of
14 the Senate, the Governor shall make a temporary appointment
15 until the next meeting of the Senate, when he shall nominate
16 some person to fill such office. If the Senate is not in
17 session at the time this Act takes effect, the Governor shall
18 make temporary appointments as in case of vacancy.

19 (Source: P.A. 84-1240.)

20 (705 ILCS 505/2) (from Ch. 37, par. 439.2)

21 Sec. 2. Terms. ~~Upon the expiration of the terms of~~
22 ~~office of the incumbent judges the Governor shall appoint~~
23 ~~their successors by and with the consent of the Senate for~~
24 ~~terms of 2, 4 and 6 years commencing on the third Monday in~~
25 ~~January of the year 1953. Of the 2 new members first~~
26 ~~appointed after the effective date of this amendatory Act of~~
27 ~~1983, one shall be appointed to an initial term ending the~~
28 ~~third Monday in January, 1986, and one shall be appointed to~~
29 ~~an initial term ending on the third Monday in January, 1988.~~

30 Of the new judges 2 members first appointed after the
31 effective date of this amendatory Act of the 93rd General
32 Assembly 1986, one shall be appointed to an initial term
33 ending on the third Monday in January, 2005 1989, 2 and one

1 shall be appointed to an initial term ending on the third
2 Monday in January, 2007, and 2 shall be appointed to an
3 initial term ending on the third Monday in January, 2009
4 1991. After the expiration of the terms of the judges first
5 appointed, each of their respective successors shall hold
6 office for a term of 6 years and until their successors are
7 appointed and qualified.

8 (Source: P.A. 84-1240.)

9 (705 ILCS 505/4) (from Ch. 37, par. 439.4)

10 Sec. 4. Expenses. A judge shall not receive any salary
11 or other compensation for his or her service on the Court,
12 but shall be reimbursed for reasonable expenses necessarily
13 incurred in the course of that service. A judge who
14 experiences a significant financial hardship due to the loss
15 of income on days of attendance at proceedings or while
16 otherwise engaged in the business of the Court may be paid a
17 hardship allowance, as determined by and subject to the
18 approval of the Governor's Travel Control Board. Each--judge
19 shall--receive--an--annual--salary--of--\$20,900--from--the--third
20 Monday--in--January,--1979--to--the--third--Monday--in--January,--1980;
21 \$22,100--from--the--third--Monday--in--January,--1980--to--the--third
22 Monday--in--January,--1981;--\$23,400--from--the--third--Monday--in
23 January,--1981--to--the--third--Monday--in--January,--1982;--and
24 \$25,000--thereafter,--or--as--set--by--the--Compensation--Review
25 Board,--whichever--is--greater,--payable--in--equal--monthly
26 installments.

27 (Source: P.A. 83-1177.)

28 (705 ILCS 505/16) (from Ch. 37, par. 439.16)

29 Sec. 16. Concurrence of judges.

30 If there is no vacancy on the Court, the concurrence of 4
31 judges of the Court is necessary to the decision of a case;
32 otherwise, the concurrence of a majority of the judges then

1 servng on the Court is necessary to the decision of any
2 case; provided, however, that the court in its discretion may
3 assign any case to a commissioner for hearing and final
4 decision, subject to whatever right of review the court by
5 rule may choose to exercise. In matters involving the award
6 of emergency funds under the Crime Victims Compensation Act,
7 the decision of one judge is necessary to award emergency
8 funds.

9 No vacancy on the Court shall impair the right of the
10 remaining judges to exercise all of the powers of the Court.
11 Every action approved by a majority of the judges then
12 servng on the Court shall be deemed to be the action of the
13 Court.

14 (Source: P.A. 92-286, eff. 1-1-02.)

15 Section 730-5. The Unified Code of Corrections is
16 amended by changing Section 3-3-1 as follows:

17 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

18 Sec. 3-3-1. Establishment and Appointment of Prisoner
19 Review Board.

20 (a) There shall be a Prisoner Review Board independent
21 of the Department of Corrections which shall be:

22 (1) the paroling authority for persons sentenced
23 under the law in effect prior to the effective date of
24 this amendatory Act of 1977;

25 (2) the board of review for cases involving the
26 revocation of good conduct credits or a suspension or
27 reduction in the rate of accumulating such credit;

28 (3) the board of review and recommendation for the
29 exercise of executive clemency by the Governor;

30 (4) the authority for establishing release dates
31 for certain prisoners sentenced under the law in
32 existence prior to the effective date of this amendatory

1 Act of 1977, in accordance with Section 3-3-2.1 of this
2 Code;

3 (5) the authority for setting conditions for parole
4 and mandatory supervised release under Section 5-8-1(a)
5 of this Code, and determining whether a violation of
6 those conditions warrant revocation of parole or
7 mandatory supervised release or the imposition of other
8 sanctions.

9 (b) The Board shall consist of 15 persons appointed by
10 the Governor by and with the advice and consent of the
11 Senate. One member of the Board shall be designated by the
12 Governor to be Chairman and shall serve as Chairman at the
13 pleasure of the Governor. The members of the Board shall
14 have had at least 5 years of actual experience in the fields
15 of penology, corrections work, law enforcement, sociology,
16 law, education, social work, medicine, psychology, other
17 behavioral sciences, or a combination thereof. At least 6
18 members so appointed must have had at least 3 years
19 experience in the field of juvenile matters. No more than 8
20 Board members may be members of the same political party.

21 Each member of the Board shall serve on a full-time full
22 time basis and shall not hold any other salaried public
23 office, whether elective or appointive, nor any other office
24 or position of profit, nor engage in any other business,
25 employment, or vocation. The Chairman of the Board shall
26 receive \$35,000 a year, or an amount set by the Compensation
27 Review Board, whichever is greater, and each other member
28 \$30,000, or an amount set by the Compensation Review Board,
29 whichever is greater.

30 (c) The terms of the present members of the Prisoner
31 Review Board shall expire on the effective date of this
32 amendatory Act of 1985, but the incumbent members shall
33 continue to exercise all of the powers and be subject to all
34 the duties of members of the Board until their respective

1 successors are appointed and qualified. The Governor shall
2 appoint 3 members to the Prisoner Review Board whose terms
3 shall expire on the third Monday in January 1987, 4 members
4 whose terms shall expire on the third Monday in January 1989,
5 and 3 members whose terms shall expire on the third Monday in
6 January 1991. The term of one of the members created by this
7 amendatory Act of 1986 shall expire on the third Monday in
8 January 1989 and the term of the other shall expire on the
9 third Monday in January 1991. The initial terms of the 3
10 additional members appointed pursuant to this amendatory Act
11 of the 91st General Assembly shall expire on the third Monday
12 in January 2006. Their respective successors shall be
13 appointed for terms of 6 years from the third Monday in
14 January of the year of appointment. Each member shall serve
15 until his successor is appointed and qualified.

16 Notwithstanding any other provision of this Section, the
17 term of each member of the Board who was appointed by the
18 Governor and is in office on June 30, 2003 shall terminate at
19 the close of business on that date or when all of the
20 successor members to be appointed pursuant to this amendatory
21 Act of the 93rd General Assembly have been appointed by the
22 Governor, whichever occurs later. As soon as possible, the
23 Governor shall appoint persons to fill the vacancies created
24 by this amendatory Act.

25 Any member may be removed by the Governor for
26 incompetence, neglect of duty, malfeasance or inability to
27 serve.

28 (d) The Chairman of the Board shall be its chief
29 executive and administrative officer.

30 (Source: P.A. 91-798, eff. 7-9-00; 91-946, eff. 2-9-01.)

31 Section 775-5. The Illinois Human Rights Act is amended
32 by changing Section 8-101 as follows:

1 (775 ILCS 5/8-101) (from Ch. 68, par. 8-101)

2 Sec. 8-101. Illinois Human Rights Commission.}

3 (A) Creation; Appointments. The Human Rights Commission
4 is created.

5 Until July 1, 2003 or when all of the new members to be
6 initially appointed under this amendatory Act of the 93rd
7 General Assembly have been appointed by the Governor,
8 whichever occurs later, the Human Rights Commission shall to
9 consist of 13 members appointed by the Governor with the
10 advice and consent of the Senate. No more than 7 members
11 shall be of the same political party.

12 The term of each appointed member of the Commission who
13 is in office on June 30, 2003 shall terminate at the close of
14 business on that date or when all of the new members to be
15 initially appointed under this amendatory Act of the 93rd
16 General Assembly have been appointed by the Governor,
17 whichever occurs later.

18 Beginning on July 1, 2003 or when all of the new members
19 to be initially appointed under this amendatory Act of the
20 93rd General Assembly have been appointed by the Governor,
21 whichever occurs later, the Human Rights Commission shall
22 consist of 9 members appointed by the Governor with the
23 advice and consent of the Senate. No more than 5 members
24 shall be of the same political party.

25 The Governor shall designate one member as chairperson.
26 All appointments shall be in writing and filed with the
27 Secretary of State as a public record.

28 (B) Terms. Of the members first appointed pursuant to
29 this amendatory Act of the 93rd General Assembly, 4 shall be
30 appointed for a term to expire on the third Monday of
31 January, 2005 1981, and 5 (including the Chairperson) shall
32 be appointed for a term to expire on the third Monday of
33 January, 2007 1983.

34 ~~Notwithstanding any provision of this Section to the~~

1 contrary, the term of office of each member of the Illinois
2 Human Rights Commission is abolished on July 29, 1985, but
3 the incumbent members shall continue to exercise all of the
4 powers and be subject to all of the duties of members of the
5 Commission until their respective successors are appointed
6 and qualified. Subject to the provisions of subsection (A),
7 of the 9 members appointed under Public Act 84-115, effective
8 July 29, 1985, 5 members shall be appointed for terms to
9 expire on the third Monday of January, 1987, and 4 members
10 shall be appointed for terms to expire on the third Monday of
11 January, 1989; and of the 4 additional members appointed
12 under Public Act 84-1084, effective December 2, 1985, two
13 shall be appointed for a term to expire on the third Monday
14 of January, 1987, and two members shall be appointed for a
15 term to expire on the third Monday of January, 1989.

16 Thereafter, each member shall serve for a term of 4 years
17 and until his or her successor is appointed and qualified;
18 except that any member chosen to fill a vacancy occurring
19 otherwise than by expiration of a term shall be appointed
20 only for the unexpired term of the member whom he or she
21 shall succeed and until his or her successor is appointed and
22 qualified.

23 (C) Vacancies.

24 (1) In the case of vacancies on the Commission during a
25 recess of the Senate, the Governor shall make a temporary
26 appointment until the next meeting of the Senate when he or
27 she shall appoint a person to fill the vacancy. Any person
28 so nominated and confirmed by the Senate shall hold office
29 for the remainder of the term and until his or her successor
30 is appointed and qualified.

31 (2) If the Senate is not in session at the time this Act
32 takes effect, the Governor shall make temporary appointments
33 to the Commission as in the case of vacancies.

34 (3) Vacancies in the Commission shall not impair the

1 right of the remaining members to exercise all the powers of
2 the Commission. Except when authorized by this Act to
3 proceed through a 3 member panel, a majority of the members
4 of the Commission then in office shall constitute a quorum.

5 (D) Compensation. ~~The--Chairperson--of--the--Commission~~
6 ~~shall--be--compensated--at--the--rate--of--\$22,500--per--year,--or--as~~
7 ~~set--by--the--Compensation--Review--Board,--whichever--is--greater,~~
8 ~~during--his--or--her--service--as--Chairperson,--and--each--other~~
9 ~~member--shall--be--compensated--at--the--rate--of--\$20,000--per--year,~~
10 ~~or--as--set--by--the--Compensation--Review--Board,--whichever--is~~
11 ~~greater.----In--addition,--all~~ Members of the Commission shall
12 not be compensated for their service, but shall be reimbursed
13 for expenses actually and necessarily incurred by them in the
14 performance of their duties. A member of the Commission who
15 experiences a significant financial hardship due to the loss
16 of income on days of attendance at meetings or while
17 otherwise engaged in the business of the Commission may be
18 paid a hardship allowance, as determined by and subject to
19 the approval of the Governor's Travel Control Board.

20 (Source: P.A. 84-1308.)

21 Section 820-305. The Workers' Compensation Act is
22 amended by changing Section 13 as follows:

23 (820 ILCS 305/13) (from Ch. 48, par. 138.13)

24 Sec. 13. There is created an Industrial Commission
25 consisting of 7 members to be appointed by the Governor, by
26 and with the consent of the Senate, 2 of whom shall be
27 representative citizens of the employing class operating
28 under this Act and 2 of whom shall be representative citizens
29 of the class of employees covered under this Act, and 3 of
30 whom shall be representative citizens not identified with
31 either the employing or employee classes. Not more than 4
32 members of the Commission shall be of the same political

1 party.

2 One of the 3 members not identified with either the
3 employing or employee classes shall be designated by the
4 Governor as Chairman. The Chairman shall be the chief
5 administrative and executive officer of the Commission; and
6 he or she shall have general supervisory authority over all
7 personnel of the Commission, including arbitrators and
8 Commissioners, and the final authority in all administrative
9 matters relating to the Commissioners, including but not
10 limited to the assignment and distribution of cases and
11 assignment of Commissioners to the panels, except in the
12 promulgation of procedural rules and orders under Section 16
13 and in the determination of cases under this Act.

14 Notwithstanding the general supervisory authority of the
15 Chairman, each Commissioner, except those assigned to the
16 temporary panel, shall have the authority to hire and
17 supervise 2 staff attorneys each. Such staff attorneys shall
18 report directly to the individual Commissioner.

19 A formal training program for newly-appointed
20 Commissioners shall be implemented. The training program
21 shall include the following:

22 (a) substantive and procedural aspects of the
23 office of Commissioner;

24 (b) current issues in workers' compensation law and
25 practice;

26 (c) medical lectures by specialists in areas such
27 as orthopedics, ophthalmology, psychiatry, rehabilitation
28 counseling;

29 (d) orientation to each operational unit of the
30 Industrial Commission;

31 (e) observation of experienced arbitrators and
32 Commissioners conducting hearings of cases, combined with
33 the opportunity to discuss evidence presented and rulings
34 made;

1 (f) the use of hypothetical cases requiring the
2 newly-appointed Commissioner to issue judgments as a
3 means to evaluating knowledge and writing ability;

4 (g) writing skills.

5 A formal and ongoing professional development program
6 including, but not limited to, the above-noted areas shall be
7 implemented to keep Commissioners informed of recent
8 developments and issues and to assist them in maintaining and
9 enhancing their professional competence.

10 The Commissioner candidates, other than the Chairman,
11 must meet one of the following qualifications: (a) licensed
12 to practice law in the State of Illinois; or (b) served as an
13 arbitrator at the Illinois Industrial Commission for at least
14 3 years; or (c) has at least 4 years of professional labor
15 relations experience. The Chairman candidate must have
16 public or private sector management and budget experience, as
17 determined by the Governor.

18 Each Commissioner shall devote full time to his duties
19 and any Commissioner who is an attorney-at-law shall not
20 engage in the practice of law, nor shall any Commissioner
21 hold any other office or position of profit under the United
22 States or this State or any municipal corporation or
23 political subdivision of this State, nor engage in any other
24 business, employment, or vocation.

25 The term of office of each member of the Commission
26 holding office on the effective date of this amendatory Act
27 of 1989 is abolished, but the incumbents shall continue to
28 exercise all of the powers and be subject to all of the
29 duties of Commissioners until their respective successors are
30 appointed and qualified.

31 The Industrial Commission shall administer this Act.

32 The members shall be appointed by the Governor, with the
33 advice and consent of the Senate, as follows:

34 (a) After the effective date of this amendatory Act

1 of 1989, 3 members, at least one of each political party,
2 and one of whom shall be a representative citizen of the
3 employing class operating under this Act, one of whom
4 shall be a representative citizen of the class of
5 employees covered under this Act, and one of whom shall
6 be a representative citizen not identified with either
7 the employing or employee classes, shall be appointed to
8 hold office until the third Monday in January of 1993,
9 and until their successors are appointed and qualified,
10 and 4 members, one of whom shall be a representative
11 citizen of the employing class operating under this Act,
12 one of whom shall be a representative citizen of the
13 class of employees covered in this Act, and two of whom
14 shall be representative citizens not identified with
15 either the employing or employee classes, one of whom
16 shall be designated by the Governor as Chairman (at least
17 one of each of the two major political parties) shall be
18 appointed to hold office until the third Monday of
19 January in 1991, and until their successors are appointed
20 and qualified.

21 (a-5) Notwithstanding any other provision of this
22 Section, the term of each member of the Commission who
23 was appointed by the Governor and is in office on June
24 30, 2003 shall terminate at the close of business on that
25 date or when all of the successor members to be appointed
26 pursuant to this amendatory Act of the 93rd General
27 Assembly have been appointed by the Governor, whichever
28 occurs later. As soon as possible, the Governor shall
29 appoint persons to fill the vacancies created by this
30 amendatory Act.

31 (b) Members shall thereafter be appointed to hold
32 office for terms of 4 years from the third Monday in
33 January of the year of their appointment, and until their
34 successors are appointed and qualified. All such

1 appointments shall be made so that the composition of the
2 Commission is in accordance with the provisions of the
3 first paragraph of this Section.

4 The Chairman shall receive an annual salary of \$42,500,
5 or a salary set by the Compensation Review Board, whichever
6 is greater, and each other member shall receive an annual
7 salary of \$38,000, or a salary set by the Compensation Review
8 Board, whichever is greater.

9 In case of a vacancy in the office of a Commissioner
10 during the recess of the Senate, the Governor shall make a
11 temporary appointment until the next meeting of the Senate,
12 when he shall nominate some person to fill such office. Any
13 person so nominated who is confirmed by the Senate shall hold
14 office during the remainder of the term and until his
15 successor is appointed and qualified.

16 The Industrial Commission created by this amendatory Act
17 of 1989 shall succeed to all the rights, powers, duties,
18 obligations, records and other property and employees of the
19 Industrial Commission which it replaces as modified by this
20 amendatory Act of 1989 and all applications and reports to
21 actions and proceedings of such prior Industrial Commission
22 shall be considered as applications and reports to actions
23 and proceedings of the Industrial Commission created by this
24 amendatory Act of 1989.

25 Notwithstanding any other provision of this Act, in the
26 event the Chairman shall make a finding that a member is or
27 will be unavailable to fulfill the responsibilities of his or
28 her office, the Chairman shall advise the Governor and the
29 member in writing and shall designate a certified arbitrator
30 to serve as acting Commissioner. The certified arbitrator
31 shall act as a Commissioner until the member resumes the
32 duties of his or her office or until a new member is
33 appointed by the Governor, by and with the consent of the
34 Senate, if a vacancy occurs in the office of the

1 Commissioner, but in no event shall a certified arbitrator
2 serve in the capacity of Commissioner for more than 6 months
3 from the date of appointment by the Chairman. A finding by
4 the Chairman that a member is or will be unavailable to
5 fulfill the responsibilities of his or her office shall be
6 based upon notice to the Chairman by a member that he or she
7 will be unavailable or facts and circumstances made known to
8 the Chairman which lead him to reasonably find that a member
9 is unavailable to fulfill the responsibilities of his or her
10 office. The designation of a certified arbitrator to act as
11 a Commissioner shall be considered representative of citizens
12 not identified with either the employing or employee classes
13 and the arbitrator shall serve regardless of his or her
14 political affiliation. A certified arbitrator who serves as
15 an acting Commissioner shall have all the rights and powers
16 of a Commissioner, including salary.

17 Notwithstanding any other provision of this Act, the
18 Governor shall appoint a special panel of Commissioners
19 comprised of 3 members who shall be chosen by the Governor,
20 by and with the consent of the Senate, from among the current
21 ranks of certified arbitrators. Three members shall hold
22 office until the Commission in consultation with the Governor
23 determines that the caseload on review has been reduced
24 sufficiently to allow cases to proceed in a timely manner or
25 for a term of 18 months from the effective date of their
26 appointment by the Governor, whichever shall be earlier. The
27 3 members shall be considered representative of citizens not
28 identified with either the employing or employee classes and
29 shall serve regardless of political affiliation. Each of the
30 3 members shall have only such rights and powers of a
31 Commissioner necessary to dispose of those cases assigned to
32 the special panel. Each of the 3 members appointed to the
33 special panel shall receive the same salary as other
34 Commissioners for the duration of the panel.

1 (Source: P.A. 86-998; 86-1405.)

2 Section 999-95. No acceleration or delay. Where this
3 Act makes changes in a statute that is represented in this
4 Act by text that is not yet or no longer in effect (for
5 example, a Section represented by multiple versions), the use
6 of that text does not accelerate or delay the taking effect
7 of (i) the changes made by this Act or (ii) provisions
8 derived from any other Public Act.

9 Section 999-99. Effective date. This Act takes effect
10 upon becoming law.

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