

# HB5933



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5933

by Rep. Robyn Gabel

### SYNOPSIS AS INTRODUCED:

30 ILCS 595/25

Amends the Local Food, Farms, and Jobs Act. Allows the board of directors of the Local Food, Farms, and Jobs Council to divide board membership into classes with and without voting rights. Effective immediately.

LRB099 19612 MLM 44007 b

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The Local Food, Farms, and Jobs Act is amended  
5 by changing Section 25 as follows:

6 (30 ILCS 595/25)

7 Sec. 25. Governance of the Local Food, Farms, and Jobs  
8 Council.

9 (a) The Local Food, Farms, and Jobs Council shall be  
10 governed by a 35-member board of directors, which shall be  
11 comprised of the following:

12 (1) one representative each from the Department of  
13 Agriculture; the Department of Commerce and Economic  
14 Opportunity; the Department of Public Health; the  
15 Department of Human Services, Office of Health and  
16 Prevention; the Department of Human Services, Office of  
17 Security and Emergency Preparedness;

18 (2) the Director of the Lieutenant Governor's Rural  
19 Affairs Council;

20 (3) one agricultural specialist from the University of  
21 Illinois Extension;

22 (4) four local farm or food product farmers  
23 representing different agribusiness sectors, including,

1 but not limited to, the dairy, meat, vegetable, and grain  
2 sectors;

3 (5) four local farm or food product producers  
4 representing different flower, fruit, viticulture,  
5 aquaculture, forestry, seeds, fiber, vegetable,  
6 ornamental, or other specialty crop sectors;

7 (6) two local farm or food product processors;

8 (7) two local farm or food product distributors;

9 (8) three representatives of not-for-profit  
10 educational organizations that specialize in supporting  
11 and expanding local farm or food product networks;

12 (9) one certifier of specialty local farm or food  
13 products, such as an organic, naturally grown, biodynamic,  
14 Halal, or Kosher certifier;

15 (10) one local farm or food product consumer  
16 representative;

17 (11) two representatives of farm organizations;

18 (12) one representative from a philanthropic  
19 organization supporting the development of local farm or  
20 food products;

21 (13) one local farm or food product retailer;

22 (14) two municipal representatives from different  
23 communities in the State actively engaged in the  
24 development of local farm or food products;

25 (15) four representatives from community-based  
26 organizations focusing on access to local farm or food

1 products, including at least 3 minority members; and

2 (16) one chef specializing in the preparation of  
3 locally grown foods.

4 (b) The 29 non-state governmental board members shall be  
5 appointed by the Governor to 3-year staggered terms as  
6 determined by the Governor. Persons may be nominated by  
7 organizations representing the sectors outlined in subsection  
8 (a) of this Section. Vacancies shall be filled by the Governor.

9 (c) The Local Food, Farms, and Jobs Council may apply for  
10 and establish a not for profit corporation under the General  
11 Not For Profit Corporation Act of 1986.

12 (d) The board of directors shall have all the rights,  
13 titles, powers, privileges, and obligations provided for in the  
14 General Not For Profit Corporation Act of 1986. It shall elect  
15 its presiding officers from among its members and may elect or  
16 appoint an executive committee, other committees, and  
17 subcommittees to conduct the business of the organization. The  
18 board of directors may divide board membership into classes  
19 with and without voting rights.

20 (e) The Local Food, Farms, and Jobs Council may solicit  
21 grants, loans, and contributions from public or private sources  
22 and may enter into any contracts, grants, loans, or agreements  
23 with respect to the use of such funds to execute the purposes  
24 of this Act. No debt or obligation of the Local Food, Farms,  
25 and Jobs Council shall become the debt or obligation of the  
26 State.

1           (f) The Local Food, Farms, and Jobs Council shall not be  
2 considered a State Agency, and its funds shall be considered  
3 private funds and held in an appropriate account outside of the  
4 State Treasury. Private funds collected by the Local Food,  
5 Farms, and Jobs Council are not subject to the Public Funds  
6 Investment Act. Local Food, Farms, and Jobs Council procurement  
7 is exempt from the Illinois Procurement Code. The treasurer of  
8 Local Food, Farms, and Jobs Council funds shall be custodian of  
9 all Local Food, Farms, and Jobs Council funds. The Local Food,  
10 Farms, and Jobs Council and its officers shall be responsible  
11 for the approval of recording of receipts, approval of  
12 payments, and the proper filing of required reports. The Local  
13 Food, Farms, and Jobs Council's records shall be audited  
14 annually by an independent auditor who is a certified public  
15 accountant and has been selected by the Board. An annual report  
16 shall also be compiled by the Board. Both the annual report and  
17 the annual audit shall be filed with any public agency  
18 providing funds to the Local Food, Farms, and Jobs Council and  
19 be made available to the public.

20           (g) Subject to the availability of public or private funds,  
21 the board of directors may employ an executive director,  
22 treasurer, other staff, or independent contractors necessary  
23 to execute the purposes of this Act, and it may fix the  
24 compensation, benefits, terms, and conditions of those  
25 persons' employment.

26           (h) The State Governmental agencies represented on the

1 board of directors may re-direct existing staff, as  
2 appropriations permit; assist in executing the purposes of this  
3 Act; and provide office space, meeting space, and other  
4 research and communication services as appropriate.

5 (i) The Local Food, Farms, and Jobs Council may be assisted  
6 in carrying out its functions by personnel of the Department of  
7 Agriculture. The Department shall provide reasonable  
8 assistance to the Local Food, Farms, and Jobs Council to help  
9 it achieve its purposes.

10 (Source: P.A. 96-579, eff. 8-18-09.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.