

1 AN ACT concerning governmental entities.

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

4 Section 5. The Civil Administrative Code of Illinois is
5 amended by changing Sections 5-525 and 5-565 as follows:

6 (20 ILCS 5/5-525) (was 20 ILCS 5/6.01)

7 Sec. 5-525. In the Department of Agriculture.

8 (a) (Blank).

9 (b) An Advisory Board of Livestock Commissioners to
10 consist of 25 persons. The Board shall consist of the
11 administrator of animal disease programs, the Dean of the
12 College of Agriculture of the University of Illinois, the
13 Dean of the College of Veterinary Medicine of the University
14 of Illinois, and commencing on January 1, 1990 the Deans or
15 Chairmen of the Colleges or Departments of Agriculture of
16 Illinois State University, Southern Illinois University, and
17 Western Illinois University in that order who shall each
18 serve for 1 year terms, provided that commencing on January
19 1, 1993 such terms shall be for 2 years in the same order,
20 the Director of Public Health, the Director of Natural
21 Resources, the chairman of the Agriculture, Conservation and
22 Energy Committee of the Senate, and the chairman of the
23 Committee on Agriculture of the House of Representatives, who
24 shall ex-officio be members of the Board, and 17 additional
25 persons interested in the prevention, elimination and control
26 of diseases of domestic animals and poultry who shall be
27 appointed by the Governor to serve at the Governor's
28 pleasure. An appointed member's office becomes vacant upon
29 the member's absence from 3 consecutive meetings. Of the 17
30 additional persons, one shall be a representative of breeders
31 of beef cattle, one shall be a representative of breeders of

1 dairy cattle, one shall be a representative of breeders of
2 dual purpose cattle, one shall be a representative of
3 breeders of swine, one shall be a representative of poultry
4 breeders, one shall be a representative of sheep breeders,
5 one shall be a veterinarian licensed in this State, one shall
6 be a representative of general or diversified farming, one
7 shall be a representative of deer or elk breeders, one shall
8 be a representative of livestock auction markets, one shall
9 be a representative of cattle feeders, one shall be a
10 representative of pork producers, one shall be a
11 representative of the State licensed meat packers, one shall
12 be a representative of canine breeders, one shall be a
13 representative of equine breeders, one shall be a
14 representative of the Illinois licensed renderers, and one
15 shall be a representative of livestock dealers. The members
16 shall receive no compensation but shall be reimbursed for
17 expenses necessarily incurred in the performance of their
18 duties. In the appointment of the Advisory Board of
19 Livestock Commissioners, the Governor shall consult with
20 representative persons and recognized organizations in the
21 respective fields concerning the appointments.

22 Rules and regulations of the Department of Agriculture
23 pertaining to the prevention, elimination, and control of
24 diseases of domestic animals and poultry shall be submitted
25 to the Advisory Board of Livestock Commissioners for approval
26 at its duly called meeting. The chairman of the Board shall
27 certify the official minutes of the Board's action and shall
28 file the certified minutes with the Department of Agriculture
29 within 30 days after the proposed rules and regulations are
30 submitted and before they are promulgated and made effective.
31 If the Board fails to take action within 30 days this
32 limitation shall not apply and the rules and regulations may
33 be promulgated and made effective. In the event it is deemed
34 desirable, the Board may hold hearings upon the rules and

1 regulations or proposed revisions. The Board members shall be
2 familiar with the Acts relating to the prevention,
3 elimination, and control of diseases among domestic animals
4 and poultry. The Department shall, upon the request of a
5 Board member, advise the Board concerning the administration
6 of the respective Acts.

7 The Director of Agriculture or his representative from
8 the Department shall act as chairman of the Board. The
9 Director shall call meetings of the Board from time to time
10 or when requested by 3 or more appointed members of the
11 Board. A quorum of appointed members must be present to
12 convene an official meeting. The chairman and ex-officio
13 members shall not be included in a quorum call. Ex-officio
14 members may be represented by a duly authorized
15 representative from their department, division, college, or
16 committee. Appointed members shall not be represented at a
17 meeting by another person. Ex-officio members and appointed
18 members shall have the right to vote on all proposed rules
19 and regulations; voting that in effect would pertain to
20 approving rules and regulations shall be taken by an oral
21 roll call. No member shall vote by proxy. The chairman
22 shall not vote except in the case of a tie vote. Any
23 ex-officio or appointed member may ask for and shall receive
24 an oral roll call on any motion before the Board. The
25 Department shall provide a clerk to take minutes of the
26 meetings and record transactions of the Board. The Board, by
27 oral roll call, may require an official court reporter to
28 record the minutes of the meetings.

29 The Board is abolished December 31, 2002 and, no later
30 than that date, all records maintained by the Board must be
31 delivered to the Department of Agriculture.

32 (Source: P.A. 91-239, eff. 1-1-00; 91-457, eff. 1-1-00;
33 91-798, eff. 7-9-00.)

1 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

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

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

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

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

30 In the appointment of the first Board of Health members
31 appointed after September 19, 1991 (the effective date of
32 Public Act 87-633), the Governor shall appoint 5 members to
33 serve for terms of 5 years; 5 members to serve for terms of 2
34 years; and 5 members to serve for a term of one year. Members

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

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

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

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

22 (ii) The consolidation of bodies whose
23 activities encompass compatible programmatic
24 subjects.

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

29 (iv) The establishment of new bodies deemed
30 essential to the functioning of the Department.

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

34 (4) To advise the Director regarding public health

1 policy, and to make health policy recommendations
2 regarding priorities to the Governor through the
3 Director.

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

7 (6) To recommend studies to delineate public health
8 problems.

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

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

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

30 In the case of proposed administrative rules or
31 amendments to administrative rules regarding immunization
32 of children against preventable communicable diseases
33 designated by the Director under the Communicable Disease
34 Prevention Act, after the Immunization Advisory Committee

1 has made its recommendations, the Board shall conduct 3
2 public hearings, geographically distributed throughout
3 the State. At the conclusion of the hearings, the State
4 Board of Health shall issue a report, including its
5 recommendations, to the Director. The Director shall
6 take into consideration any comments or recommendations
7 made by the Board based on these hearings.

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

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

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

25 Upon appointment, the Board shall elect a chairperson
26 from among its members.

27 Members of the Board shall receive compensation for their
28 services at the rate of \$150 per day, not to exceed \$10,000
29 per year, as designated by the Director for each day required
30 for transacting the business of the Board and shall be
31 reimbursed for necessary expenses incurred in the performance
32 of their duties. The Board shall meet from time to time at
33 the call of the Department, at the call of the chairperson,
34 or upon the request of 3 of its members, but shall not meet

1 less than 4 times per year.

2 (b) (Blank).

3 (c) An Advisory Board on Necropsy Service to Coroners,
4 which shall counsel and advise with the Director on the
5 administration of the Autopsy Act. The Advisory Board shall
6 consist of 11 members, including a senior citizen age 60 or
7 over, appointed by the Governor, one of whom shall be
8 designated as chairman by a majority of the members of the
9 Board. In the appointment of the first Board the Governor
10 shall appoint 3 members to serve for terms of 1 year, 3 for
11 terms of 2 years, and 3 for terms of 3 years. The members
12 first appointed under Public Act 83-1538 shall serve for a
13 term of 3 years. All members appointed thereafter shall be
14 appointed for terms of 3 years, except that when an
15 appointment is made to fill a vacancy, the appointment shall
16 be for the remaining term of the position vacant. The members
17 of the Board shall be citizens of the State of Illinois. In
18 the appointment of members of the Advisory Board the Governor
19 shall appoint 3 members who shall be persons licensed to
20 practice medicine and surgery in the State of Illinois, at
21 least 2 of whom shall have received post-graduate training in
22 the field of pathology; 3 members who are duly elected
23 coroners in this State; and 5 members who shall have interest
24 and abilities in the field of forensic medicine but who shall
25 be neither persons licensed to practice any branch of
26 medicine in this State nor coroners. In the appointment of
27 medical and coroner members of the Board, the Governor shall
28 invite nominations from recognized medical and coroners
29 organizations in this State respectively. Board members,
30 while serving on business of the Board, shall receive actual
31 necessary travel and subsistence expenses while so serving
32 away from their places of residence.

33 (d) The State Board of Health is abolished December 31,
34 2002 and, no later than that date, all records maintained by

1 the Board must be delivered to the Department of Public
2 Health.

3 (Source: P.A. 90-607, eff. 6-30-98; 91-239, eff. 1-1-00;
4 91-798, eff. 7-9-00.)

5 Section 10. The Alcoholism and Other Drug Abuse and
6 Dependency Act is amended by changing Section 10-5 as
7 follows:

8 (20 ILCS 301/10-5)

9 Sec. 10-5. Illinois Advisory Council established. There
10 is established the Illinois Advisory Council on Alcoholism
11 and Other Drug Dependency. The members of the Council shall
12 receive no compensation for their service but shall be
13 reimbursed for all expenses actually and necessarily incurred
14 by them in the performance of their duties under this Act,
15 and within the amounts made available to them by the
16 Department. The Council shall annually elect a presiding
17 officer from among its membership. The Council shall meet
18 from time to time at the call of the Department, or at the
19 call of its presiding officer, or upon the request of a
20 majority of its members. The Department shall provide space
21 and clerical and consulting services to the Council.

22 The Council is abolished December 31, 2002 and, no later
23 than that date, all records maintained by the Council must be
24 delivered to the Department of Human Services.

25 (Source: P.A. 88-80.)

26 Section 15. The Department of Commerce and Community
27 Affairs Law of the Civil Administrative Code of Illinois is
28 amended by changing Section 605-360 as follows:

29 (20 ILCS 605/605-360) (was 20 ILCS 605/46.19a in part)

30 Sec. 605-360. Technology Innovation and

1 Commercialization Grants-In-Aid Council. There is created
2 within the Department a Technology Innovation and
3 Commercialization Grants-in-Aid Council, which shall consist
4 of 2 representatives of the Department of Commerce and
5 Community Affairs, appointed by the Department; one
6 representative of the Illinois Board of Higher Education,
7 appointed by the Board; one representative of science or
8 engineering, appointed by the Governor; two representatives
9 of business, appointed by the Governor; one representative of
10 small business, appointed by the Governor; one representative
11 of the Department of Agriculture, appointed by the Director
12 of Agriculture; and one representative of agribusiness,
13 appointed by the Director of Agriculture. The Director of
14 Commerce and Community Affairs shall appoint one of the
15 Department's representatives to serve as chairman of the
16 Council. The Council members shall receive no compensation
17 for their services but shall be reimbursed for their expenses
18 actually incurred by them in the performance of their duties
19 under this Section. The Department shall provide staff
20 services to the Council. The Council shall provide for review
21 and evaluation of all applications received by the Department
22 under Section 605-355 and make recommendations on those
23 projects to be funded. The Council shall also assist the
24 Department in monitoring the projects and in evaluating the
25 impact of the program on technological innovation and
26 business development within the State.

27 The Council is abolished December 31, 2002 and, no later
28 than that date, all records maintained by the Council must be
29 delivered to the Department.

30 (Source: P.A. 90-454, eff. 8-16-97; 91-239, eff. 1-1-00.)

31 Section 20. The Illinois Commission on Volunteerism and
32 Community Services is amended by changing Section 5.1 as
33 follows:

1 (20 ILCS 710/5.1)

2 Sec. 5.1. Commission. The Commission is established to
3 encourage community service and volunteer participation as a
4 means of community and State problem-solving; to promote and
5 support voluntary citizen involvement in government and
6 private programs throughout the State; to develop a
7 long-term, comprehensive vision and plan of action for
8 national volunteerism and community service initiatives in
9 Illinois; and to serve as the State's liaison to national and
10 State organizations that support its mission.

11 The Commission shall consist of 15 to 25 bipartisan
12 voting members and up to 15 bipartisan nonvoting members. At
13 least 25% of the members must be from the City of Chicago.

14 The Governor shall appoint up to 25 voting members and up
15 to 15 nonvoting members. Of those initial 25 voting
16 members, 10 shall serve for 3 years, 8 shall serve for 2
17 years, and 7 shall serve for one year. Voting members
18 appointed by the Governor shall include at least one
19 representative of the following: an expert in the education,
20 training, and development needs of youth; the chairman of the
21 City Colleges of a municipality having a population of more
22 than 2 million; labor organizations; business; the human
23 services department of a municipality with a population of
24 more than 2 million; community based organizations; the State
25 Superintendent of Education; the Superintendent of Police of
26 a municipality having a population of more than 2 million; a
27 youth between 16 and 25 years old who is a participant or
28 supervisor in a community service program; the President of a
29 County Board of a county having a population of more than 3
30 million; an expert in older adult volunteerism; the public
31 health commissioner of a municipality having a population of
32 more than 2 million; local government; and a national service
33 program. A representative of the federal Corporation for
34 National Service shall be appointed as a nonvoting member.

1 Appointing authorities shall ensure, to the maximum
2 extent practicable, that the Commission is diverse with
3 respect to race, ethnicity, age, gender, geography, and
4 disability. Not more than 50% of the Commission appointed by
5 the Governor may be from the same political party.

6 Subsequent voting members of the Commission shall serve
7 3-year terms. Commissioners must be allowed to serve until
8 new commissioners are appointed in order to maintain the
9 federally required number of commissioners.

10 Each nonvoting member shall serve at the pleasure of the
11 Governor.

12 Members of the Commission may not serve more than 3
13 consecutive terms. Vacancies shall be filled in the same
14 manner as the original appointments and any member so
15 appointed shall serve during the remainder of the term for
16 which the vacancy occurred. The members shall not receive
17 any compensation but shall be reimbursed for necessary
18 expenses incurred in the performance of their duties.

19 The Commission is abolished December 31, 2002 and, no
20 later than that date, all records maintained by the
21 Commission must be delivered to the Department of Human
22 Services.

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

24 Section 25. The Mental Health and Developmental
25 Disabilities Administrative Act is amended by changing
26 Section 64 as follows:

27 (20 ILCS 1705/64) (from Ch. 91 1/2, par. 100-64)

28 Sec. 64. Advisory Committee on Geriatric Services.

29 (a) The Department shall establish an Advisory Committee
30 on Geriatric Services to advise the Department on matters
31 pertaining to the mental health needs of the elderly
32 population within the State. The Secretary shall designate a

1 person to serve as a liaison to the Advisory Committee and to
2 the public.

3 (b) The Committee shall consist of 13 members.

4 (c) The members shall be appointed by the Secretary, and
5 shall be representative of different geographical sections of
6 the State and Statewide organizations, so far as possible,
7 representing the limited English-speaking elderly, the
8 protective service interests of vulnerable adults, the
9 agencies providing case management services to the elderly,
10 and administrators of model projects serving the mental
11 health needs of the elderly through coordination of service
12 delivery systems. One member of the Committee shall be the
13 Director of the Department on Aging or his or her designee.

14 (d) The appointments of the Committee shall be for 2
15 year terms. Members may serve more than one term. Vacancies
16 among the members shall be filled by the Director.

17 (e) The Committee shall provide for its organization and
18 procedure including the election of the Chairperson and such
19 other officers as deemed necessary.

20 (f) The members of the committee shall receive no
21 compensation for their services but shall be reimbursed by
22 the Department for any ordinary and necessary expenses
23 incurred in the performance of their duties.

24 (g) The Committee shall have the following duties:

25 (1) To assess the mental health needs of the
26 elderly population in the State.

27 (2) To recommend treatment methods and programs
28 that are sensitive and relevant to the characteristics of
29 the elderly population.

30 (3) To provide consultation, technical assistance,
31 training programs, and reference materials to service
32 providers, organizations, and other agencies.

33 (4) To promote awareness of geriatric mental health
34 concerns, and encourage, promote, and aid in the

1 establishment of geriatric services.

2 (5) To disseminate information on available
3 geriatric services.

4 (6) To provide adequate and effective opportunities
5 for the elderly population to express their views on
6 Departmental policy development and program
7 implementation.

8 (h) For the purpose of this Section "geriatric" or
9 "elderly population" shall mean and include any persons who
10 are 60 years of age or older.

11 (i) The Advisory Committee is abolished December 31,
12 2002 and, no later than that date, all records maintained by
13 the Advisory Committee must be delivered to the Department.

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

15 Section 30. The Department of Public Health Powers and
16 Duties Law of the Civil Administrative Code of Illinois is
17 amended by changing Sections 2310-315 as follows:

18 (20 ILCS 2310/2310-315) (was 20 ILCS 2310/55.41)

19 (Text of Section before amendment by P.A. 92-84)

20 Sec. 2310-315. Prevention and treatment of AIDS. To
21 perform the following in relation to the prevention and
22 treatment of acquired immunodeficiency syndrome (AIDS):

23 (1) Establish a State AIDS Control Unit within the
24 Department as a separate administrative subdivision, to
25 coordinate all State programs and services relating to the
26 prevention, treatment, and amelioration of AIDS.

27 (2) Conduct a public information campaign for
28 physicians, hospitals, health facilities, public health
29 departments, law enforcement personnel, public employees,
30 laboratories, and the general public on acquired
31 immunodeficiency syndrome (AIDS) and promote necessary
32 measures to reduce the incidence of AIDS and the mortality

1 from AIDS. This program shall include, but not be limited to,
2 the establishment of a statewide hotline and a State AIDS
3 information clearinghouse that will provide periodic reports
4 and releases to public officials, health professionals,
5 community service organizations, and the general public
6 regarding new developments or procedures concerning
7 prevention and treatment of AIDS.

8 (3) Establish an AIDS Advisory Council consisting of 25
9 persons appointed by the Governor, including representation
10 from public and private agencies, organizations, and
11 facilities involved in AIDS research, prevention, and
12 treatment, which shall advise the Department on the State
13 AIDS Control Plan. The terms of the initial appointments
14 shall be staggered so that 13 members are appointed for
15 2-year terms and 12 members are appointed for 4-year terms.
16 All subsequent appointments shall be for 4-year terms.
17 Members shall serve without compensation, but may be
18 reimbursed for expenses incurred in relation to their duties
19 on the Council. A Chairman and other officers that may be
20 considered necessary shall be elected from among the members.
21 Any vacancy shall be filled for the term of the original
22 appointment. Members whose terms have expired may continue
23 to serve until their successors are appointed.

24 The Council is abolished December 31, 2002 and, no later
25 than that date, all records maintained by the Council must be
26 delivered to the Department.

27 (4) Establish alternative blood test services that are
28 not operated by a blood bank, plasma center or hospital. The
29 Department shall prescribe by rule minimum criteria,
30 standards and procedures for the establishment and operation
31 of such services, which shall include, but not be limited to
32 requirements for the provision of information, counseling and
33 referral services that ensure appropriate counseling and
34 referral for persons whose blood is tested and shows evidence

1 of exposure to the human immunodeficiency virus (HIV) or
2 other identified causative agent of acquired immunodeficiency
3 syndrome (AIDS).

4 (5) Establish regional and community service networks of
5 public and private service providers or health care
6 professionals who may be involved in AIDS research,
7 prevention and treatment.

8 (6) Provide grants to individuals, organizations or
9 facilities to support the following:

10 (A) Information, referral, and treatment services.

11 (B) Interdisciplinary workshops for professionals
12 involved in research and treatment.

13 (C) Establishment and operation of a statewide
14 hotline.

15 (D) Establishment and operation of alternative
16 testing services.

17 (E) Research into detection, prevention, and
18 treatment.

19 (F) Supplementation of other public and private
20 resources.

21 (G) Implementation by long-term care facilities of
22 Department standards and procedures for the care and
23 treatment of persons with AIDS and the development of
24 adequate numbers and types of placements for those
25 persons.

26 (7) Conduct a study and report to the Governor and the
27 General Assembly by July 1, 1988, on the public and private
28 costs of AIDS medical treatment, including the availability
29 and accessibility of inpatient, outpatient, physician, and
30 community support services.

31 (8) Accept any gift, donation, bequest, or grant of
32 funds from private or public agencies, including federal
33 funds that may be provided for AIDS control efforts.

34 (9) Develop and implement, in consultation with the

1 Long-Term Care Facility Advisory Board, standards and
2 procedures for long-term care facilities that provide care
3 and treatment of persons with AIDS, including appropriate
4 infection control procedures. The Department shall work
5 cooperatively with organizations representing those
6 facilities to develop adequate numbers and types of
7 placements for persons with AIDS and shall advise those
8 facilities on proper implementation of its standards and
9 procedures.

10 (10) The Department shall create and administer a
11 training program for State employees who have a need for
12 understanding matters relating to AIDS in order to deal with
13 or advise the public. The training shall include information
14 on the cause and effects of AIDS, the means of detecting it
15 and preventing its transmission, the availability of related
16 counseling and referral, and other matters that may be
17 appropriate. The training may also be made available to
18 employees of local governments, public service agencies, and
19 private agencies that contract with the State; in those cases
20 the Department may charge a reasonable fee to recover the
21 cost of the training.

22 (11) Approve tests or testing procedures used in
23 determining exposure to HIV or any other identified causative
24 agent of AIDS.

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

26 (Text of Section after amendment by P.A. 92-84)

27 Sec. 2310-315. Prevention and treatment of AIDS. To
28 perform the following in relation to the prevention and
29 treatment of acquired immunodeficiency syndrome (AIDS):

30 (1) Establish a State AIDS Control Unit within the
31 Department as a separate administrative subdivision, to
32 coordinate all State programs and services relating to the
33 prevention, treatment, and amelioration of AIDS.

34 (2) Conduct a public information campaign for

1 physicians, hospitals, health facilities, public health
2 departments, law enforcement personnel, public employees,
3 laboratories, and the general public on acquired
4 immunodeficiency syndrome (AIDS) and promote necessary
5 measures to reduce the incidence of AIDS and the mortality
6 from AIDS. This program shall include, but not be limited to,
7 the establishment of a statewide hotline and a State AIDS
8 information clearinghouse that will provide periodic reports
9 and releases to public officials, health professionals,
10 community service organizations, and the general public
11 regarding new developments or procedures concerning
12 prevention and treatment of AIDS.

13 (3) Establish an AIDS Advisory Council consisting of 25
14 persons appointed by the Governor, including representation
15 from public and private agencies, organizations, and
16 facilities involved in AIDS research, prevention, and
17 treatment, which shall advise the Department on the State
18 AIDS Control Plan. The terms of the initial appointments
19 shall be staggered so that 13 members are appointed for
20 2-year terms and 12 members are appointed for 4-year terms.
21 All subsequent appointments shall be for 4-year terms.
22 Members shall serve without compensation, but may be
23 reimbursed for expenses incurred in relation to their duties
24 on the Council. A Chairman and other officers that may be
25 considered necessary shall be elected from among the members.
26 Any vacancy shall be filled for the term of the original
27 appointment. Members whose terms have expired may continue
28 to serve until their successors are appointed.

29 The Council is abolished December 31, 2002 and, no later
30 than that date, all records maintained by the Council must be
31 delivered to the Department.

32 (4) Establish alternative blood test services that are
33 not operated by a blood bank, plasma center or hospital. The
34 Department shall prescribe by rule minimum criteria,

1 standards and procedures for the establishment and operation
2 of such services, which shall include, but not be limited to
3 requirements for the provision of information, counseling and
4 referral services that ensure appropriate counseling and
5 referral for persons whose blood is tested and shows evidence
6 of exposure to the human immunodeficiency virus (HIV) or
7 other identified causative agent of acquired immunodeficiency
8 syndrome (AIDS).

9 (5) Establish regional and community service networks of
10 public and private service providers or health care
11 professionals who may be involved in AIDS research,
12 prevention and treatment.

13 (6) Provide grants to individuals, organizations or
14 facilities to support the following:

15 (A) Information, referral, and treatment services.

16 (B) Interdisciplinary workshops for professionals
17 involved in research and treatment.

18 (C) Establishment and operation of a statewide
19 hotline.

20 (D) Establishment and operation of alternative
21 testing services.

22 (E) Research into detection, prevention, and
23 treatment.

24 (F) Supplementation of other public and private
25 resources.

26 (G) Implementation by long-term care facilities of
27 Department standards and procedures for the care and
28 treatment of persons with AIDS and the development of
29 adequate numbers and types of placements for those
30 persons.

31 (7) (Blank).

32 (8) Accept any gift, donation, bequest, or grant of
33 funds from private or public agencies, including federal
34 funds that may be provided for AIDS control efforts.

1 (9) Develop and implement, in consultation with the
2 Long-Term Care Facility Advisory Board, standards and
3 procedures for long-term care facilities that provide care
4 and treatment of persons with AIDS, including appropriate
5 infection control procedures. The Department shall work
6 cooperatively with organizations representing those
7 facilities to develop adequate numbers and types of
8 placements for persons with AIDS and shall advise those
9 facilities on proper implementation of its standards and
10 procedures.

11 (10) The Department shall create and administer a
12 training program for State employees who have a need for
13 understanding matters relating to AIDS in order to deal with
14 or advise the public. The training shall include information
15 on the cause and effects of AIDS, the means of detecting it
16 and preventing its transmission, the availability of related
17 counseling and referral, and other matters that may be
18 appropriate. The training may also be made available to
19 employees of local governments, public service agencies, and
20 private agencies that contract with the State; in those cases
21 the Department may charge a reasonable fee to recover the
22 cost of the training.

23 (11) Approve tests or testing procedures used in
24 determining exposure to HIV or any other identified causative
25 agent of AIDS.

26 (Source: P.A. 91-239, eff. 1-1-00; 92-84, eff. 7-1-02.)

27 Section 35. The Capital Development Board Act is amended
28 by changing Section 14 as follows:

29 (20 ILCS 3105/14) (from Ch. 127, par. 783.01)

30 Sec. 14. (a) It is the purpose of this Act to provide
31 for the promotion and preservation of the arts by securing
32 suitable works of art for the adornment of public buildings

1 constructed or subjected to major renovation by the State or
2 which utilize State funds, and thereby reflecting our
3 cultural heritage, with emphasis on the works of Illinois
4 artists.

5 (b) As used in this Act: "Works of art" shall apply to
6 and include paintings, prints, sculptures, graphics, mural
7 decorations, stained glass, statues, bas reliefs, ornaments,
8 fountains, ornamental gateways, or other creative works which
9 reflect form, beauty and aesthetic perceptions.

10 (c) Beginning with the fiscal year ending June 30, 1979,
11 and for each succeeding fiscal year thereafter, the Capital
12 Development Board shall set aside 1/2 of 1 percent of the
13 amount authorized and appropriated for construction or
14 reconstruction of each public building financed in whole or
15 in part by State funds and generally accessible to and used
16 by the public for purchase and placement of suitable works of
17 art in such public buildings. The location and character of
18 the work or works of art to be installed in such public
19 buildings shall be determined by the designing architect,
20 provided, however, that the work or works of art shall be in
21 a permanent and prominent location.

22 (d) There is created a Fine Arts Review Committee
23 consisting of the designing architect, the Chairman of the
24 Illinois Arts Council or his designee, the Director of the
25 Illinois State Museum or his designee, and three persons from
26 the area in which the project is to be located who are
27 familiar with the local area and are knowledgeable in matters
28 of art. Of the three local members, two shall be selected by
29 the County Board to the County in which the project is
30 located and one shall be selected by the Mayor or other chief
31 executive officer of the municipality in which the project is
32 located. The Committee, after such study as it deems
33 necessary, shall recommend three artists or works of art in
34 order of preference, to the Capital Development Board. The

1 Board will make the final selection from among the
2 recommendations submitted to it.

3 The Fine Arts Review Committee is abolished December 31,
4 2002 and, no later than that date, all records maintained by
5 the Committee must be delivered to the Capital Development
6 Board.

7 (e) There is created a Public Arts Advisory Committee
8 whose function is to advise the Capital Development Board and
9 the Fine Arts Review Committee on various technical and
10 aesthetic perceptions that may be utilized in the creation or
11 major renovation of public buildings. The Public Arts
12 Advisory Committee shall consist of 12 members who shall
13 serve for terms of 2 years ending on June 30 of odd numbered
14 years, except the first appointees to the Committee shall
15 serve for a term ending June 30, 1979. The Public Arts
16 Advisory Committee shall meet four times each fiscal year.
17 Four members shall be appointed by the Governor; four shall
18 be chosen by the Senate, two of whom shall be chosen by the
19 President, two by the minority leader; and four shall be
20 appointed by the House of Representatives, two of whom shall
21 be chosen by the Speaker and two by the minority leader.
22 There shall also be a Chairman who shall be chosen from the
23 committee members by the majority vote of that Committee.

24 (f) All necessary expenses of the Public Arts Advisory
25 Committee and the Fine Arts Review Committee shall be paid by
26 the Capital Development Board.

27 (Source: P.A. 90-655, eff. 7-30-98.)

28 Section 40. The Illinois Development Finance Authority
29 Act is amended by changing Section 7.22 as follows:

30 (20 ILCS 3505/7.22) (from Ch. 48, par. 850.07m)

31 Sec. 7.22. Illinois Venture Investment Fund. There is
32 created the Illinois Venture Investment Fund, hereafter

1 referred to in Sections 7.22 through 7.31 as the "Fund". The
2 Treasurer of the Authority shall have custody of the Fund,
3 which shall be held outside of the State Treasury. The
4 Authority is authorized to accept any and all grants, loans,
5 including loans from State public employee pension funds, as
6 authorized by this Act or any other statute, subsidies,
7 matching funds, reimbursements, appropriations, transfers of
8 appropriations, federal grant monies, income derived from
9 investments, or other things of value from the federal or
10 state governments or any agency of any other state or from
11 any institution, person, firm or corporation, public or
12 private, for deposit in the Fund.

13 The Authority is authorized to use monies deposited in
14 the Fund expressly for the purposes specified in and
15 according to the procedures established by Sections 7.23
16 through 7.31 of this Act. The Authority may appoint a
17 Director to manage the activities associated with the Fund.
18 Such Director shall receive compensation as determined by the
19 Authority.

20 The Fund is abolished December 31, 2002 and, no later
21 than that date, all records pertaining to the Fund must be
22 delivered to the Authority.

23 (Source: P.A. 83-669; 83-965.)

24 Section 45. The Anti-Crime Advisory Council Act is
25 amended by changing Section 1 as follows:

26 (20 ILCS 3910/1) (from Ch. 38, par. 1301)

27 Sec. 1. Creation-Membership-Tenure-Vacancies. There is
28 created the Illinois Anti-Crime Advisory Council, called the
29 Council, consisting of 11 members. Of the 11 members, 4
30 shall be chosen from the General Assembly, 2 are to be
31 Senators, 1 appointed by the President of the Senate and 1 by
32 the Senate Minority Leader, and 2 are to be Representatives,

1 1 appointed by the Speaker of the House of Representatives
2 and 1 by the House Minority Leader. The remaining 7 members
3 shall be chosen as follows: 2 appointed by the President of
4 the Senate and 1 by the Senate Minority Leader and 2
5 appointed by the Speaker of the House of Representatives and
6 1 by the House Minority Leader and 1 appointed by the
7 Governor. Council members are to be appointed prior to July
8 1 of each odd-numbered year for a 2-year term commencing July
9 1, and until their respective successors are appointed and
10 qualified, except that General Assembly members are to serve
11 that term or until the termination of their legislative
12 service, whichever first occurs. Vacancies are to be filled
13 for the unexpired term in the same manner as original
14 appointments. All appointments must be in writing and filed
15 with the Secretary of State as a public record.

16 The Council is abolished on December 31, 2002.

17 (Source: P.A. 83-829.)

18 Section 50. The Governor's Council on Health and
19 Physical Fitness Act is amended by changing Sections 2 and 4
20 as follows:

21 (20 ILCS 3950/2) (from Ch. 111 1/2, par. 2702)

22 Sec. 2. There is created the Governor's Council on
23 Health and Physical Fitness, hereafter referred to as the
24 Council. The Council shall consist of no more than 50
25 residents of Illinois who have distinguished themselves in
26 sports or who maintain an active concern for the health and
27 physical well being of the citizens of Illinois. All the
28 members of the Council shall be appointed by the Governor and
29 shall serve terms on the Council at his pleasure without
30 compensation. On the effective date of this amendatory Act
31 of 1997, no more than 25 members of the Council shall be
32 appointed to 2-year terms which shall expire on December 31,

1 1999 and no more than 25 members shall be appointed to 4-year
2 terms which shall expire on December 31, 2001. On or after
3 January 1, 2000, all successive appointments to the Council
4 shall be for 4-year terms.

5 The Illinois Department of Public Health shall provide
6 the Council with such administrative, technical and clerical
7 support services as it may need to carry out its duties,
8 including all filings necessary to transfer ownership of any
9 copyright interests from the Illinois Governor's Health and
10 Physical Fitness Council to the Governor's Physical Fitness
11 and Sports Council.

12 The changes to this Act made by this amendatory Act of
13 1992 shall not affect (1) any proceeding commenced prior to
14 the effective date of this amendatory Act to which the
15 Council is a party; (2) the validity of any procedure,
16 policy, or action of the Council that was adopted or taken
17 prior to the effective date of this amendatory Act; nor (3)
18 the term of service of any member of the Council. Any rules
19 adopted under Section 7 of this Act are hereby repealed.

20 The Council is abolished December 31, 2002 and, no later
21 than that date, all records maintained by the Council must be
22 delivered to the Department of Public Health.

23 (Source: P.A. 90-420, eff. 1-1-98.)

24 (20 ILCS 3950/4) (from Ch. 111 1/2, par. 2704)

25 Sec. 4. There is created the Governor's Health and
26 Physical Fitness Advisory Committee, hereafter referred to as
27 the Committee. The Committee shall consist of 13 members,
28 including a senior citizen age 60 or over, 9 of whom shall be
29 appointed by the Governor and shall be representative of
30 physicians, pediatricians, coaches, athletic trainers,
31 athletes, educators and such other persons or professions
32 interested in the physical fitness of the citizens of
33 Illinois as the Governor deems appropriate. Four members of

1 the Committee shall be members of the General Assembly, with
2 one appointed by the President and one by the Minority Leader
3 of the Senate, and one by the Speaker of the House of
4 Representatives and one by the Minority Leader thereof. All
5 members of the Committee shall serve 2 year terms expiring on
6 January 31 of each odd-numbered year, but shall continue to
7 serve until their successors are appointed. Members of the
8 Committee may be reappointed for additional terms. Vacancies
9 shall be filled in the same manner as original appointments,
10 and a vacancy occurs whenever a member of the General
11 Assembly ceases to be a member of the house from which he was
12 appointed. The Committee shall select from its membership a
13 chairman and such other officers as it considers necessary.
14 Members of the Committee shall serve without compensation but
15 shall be reimbursed for actual expenses incurred in the
16 performance of their duties. The Committee shall meet each
17 calendar quarter. At least one of the quarterly meetings
18 shall be in Springfield. The Committee may meet at
19 additional times and places as the Governor or the Committee
20 deem necessary. The Illinois Department of Public Health
21 shall provide the Committee with such administrative,
22 technical and clerical support services as it may need to
23 carry out its duties.

24 The Committee is abolished December 31, 2002 and, no
25 later than that date, all records maintained by the Committee
26 must be delivered to the Department of Public Health.

27 (Source: P.A. 87-489; 87-860.)

28 Section 55. The Minority Males Act is amended by
29 changing Section 3 as follows:

30 (20 ILCS 4000/3) (from Ch. 127, par. 132.633)

31 Sec. 3. There shall be created a special task force to
32 develop a plan to address the critical social and economical

1 issues concerning minority males. The task force shall
2 consist of 2 persons appointed by the President of the
3 Senate, 2 persons appointed by the minority leader of the
4 Senate, 2 persons appointed by the Speaker of the House of
5 Representatives and 2 persons appointed by the minority
6 leader of the House of Representatives, 5 public members who
7 shall be community and civic leaders and representatives of
8 the employment, criminal justice, education and health
9 communities appointed by the Governor, 1 representative of
10 the Citizens Council on Children, appointed by the Citizens
11 Council on Children, and 1 representative of the Citizens
12 Council on Economic Development, appointed by the Citizens
13 Council on Economic Development.

14 The task force is abolished December 31, 2002.

15 (Source: P.A. 86-1321.)

16 (20 ILCS 4030/Act rep.)

17 Section 60. The World's Fair Commission (1976) Act is
18 repealed.

19 Section 65. The Interstate Compact for Education Act is
20 amended by changing Section 3 as follows:

21 (45 ILCS 90/3) (from Ch. 122, par. 100-3)

22 Sec. 3. There is created the Illinois Educational Council
23 composed of the members of the Educational Commission of the
24 States representing this State and of 6 other persons
25 appointed by the Governor. The Governor shall make these
26 appointments in such a manner that those 6 persons will be
27 broadly representative of professional and lay interests in
28 this State having the responsibility for, knowledge with
29 respect to and interest in educational matters. The Governor
30 shall designate one of the members of the Council as
31 chairman. In making the initial appointments to the Council

1 the Governor shall designate 2 members to serve until
2 September 1, 1968; 2, until September 1, 1969; and 2, until
3 September 1, 1970. Their successors shall be appointed for a
4 3 year term. Vacancies shall be filled by appointment for the
5 unexpired term. The Council shall meet, at least 3 times a
6 year, on the call of the chairman or at the request of a
7 majority of the members of the Council. The Council may
8 consider any matter related to the recommendations of the
9 Educational Commission of the States or to the activities of
10 the Commission members representing this State.

11 The Council is abolished December 31, 2002.

12 (Source: Laws 1967, p. 2201.)

13 Section 70. The School Code is amended by changing
14 Sections 14-11.02 and 14-15.01 as follows:

15 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

16 Sec. 14-11.02. Notwithstanding any other Sections of
17 this Article, the State Board of Education shall develop and
18 operate or contract for the operation of a service center for
19 persons who are deaf-blind. For the purpose of this Section,
20 persons with deaf-blindness are persons who have both
21 auditory and visual impairments, the combination of which
22 causes such severe communication and other developmental,
23 educational, vocational and rehabilitation problems that such
24 persons cannot be properly accommodated in special education
25 or vocational rehabilitation programs solely for persons with
26 both hearing and visual disabilities.

27 To be eligible for deaf-blind services, a person must
28 have (i) a visual impairment and an auditory impairment, or
29 (ii) a condition in which there is a progressive loss of
30 hearing or vision or both that results in concomitant vision
31 and hearing impairments and that adversely affects
32 educational performance as determined by the

1 multidisciplinary conference. For purposes of this paragraph
2 and Section:

3 (A) A visual impairment is defined to mean one or
4 more of the following: (i) corrected visual acuity poorer
5 than 20/70 in the better eye; (ii) restricted visual
6 field of 20 degrees or less in the better eye; (iii)
7 cortical blindness; (iv) does not appear to respond to
8 visual stimulation, which adversely affects educational
9 performance as determined by the multidisciplinary
10 conference.

11 (B) An auditory impairment is defined to mean one
12 or more of the following: (i) a sensorineural or ongoing
13 or chronic conductive hearing loss with aided sensitivity
14 of 30dB HL or poorer; (ii) functional auditory behavior
15 that is significantly discrepant from the person's
16 present cognitive and/or developmental levels, which
17 adversely affects educational performance as determined
18 by the multidisciplinary conference.

19 The State Board of Education is empowered to establish,
20 maintain and operate or contract for the operation of a
21 permanent state-wide service center known as the Philip J.
22 Rock Center and School. The School serves eligible children
23 between the ages of 3 and 21; the Center serves eligible
24 persons of all ages. Services provided by the Center include,
25 but are not limited to:

26 (1) Identifying and case management of persons who
27 are auditorily and visually impaired;

28 (2) Providing families with appropriate counseling;

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

31 (4) Referring persons who are deaf-blind to
32 appropriate agencies for educational, training and care
33 services;

34 (5) Developing and expanding services throughout

1 the State to persons who are deaf-blind. This will
2 include ancillary services, such as transportation so
3 that the individuals can take advantage of the expanded
4 services;

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

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

11 (8) Coordinating services to persons who are
12 deaf-blind through all appropriate agencies, including
13 the Department of Children and Family Services and the
14 Department of Human Services;

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

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

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

23 (12) Providing transition services for students of
24 Philip J. Rock School who are deaf-blind and between the
25 ages of 14 1/2 and 21.

26 The Advisory Board for Services for Persons who are
27 Deaf-Blind shall provide advice to the State Superintendent
28 of Education, the Governor, and the General Assembly on all
29 matters pertaining to policy concerning persons who are
30 deaf-blind, including the implementation of legislation
31 enacted on their behalf.

32 Regarding the maintenance, operation and education
33 functions of the Philip J. Rock Center and School, the
34 Advisory Board shall also make recommendations pertaining to

1 but not limited to the following matters:

2 (1) Existing and proposed programs of all State
3 agencies that provide services for persons who are
4 deaf-blind;

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

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

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

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

14 (6) Planning for personnel/preparation, both
15 preservice and inservice.

16 The Advisory Board shall consist of 3 persons appointed
17 by the Governor; 2 persons appointed by the State
18 Superintendent of Education; 4 persons appointed by the
19 Secretary of Human Services; and 2 persons appointed by the
20 Director of Children and Family Services. The 3 appointments
21 of the Governor shall consist of a senior citizen 60 years of
22 age or older, a consumer who is deaf-blind, and a parent of a
23 person who is deaf-blind; provided that if any gubernatorial
24 appointee serving on the Advisory Board on the effective date
25 of this amendatory Act of 1991 is not either a senior citizen
26 60 years of age or older or a consumer who is deaf-blind or a
27 parent of a person who is deaf-blind, then whenever that
28 appointee's term of office expires or a vacancy in that
29 appointee's office sooner occurs, the Governor shall make the
30 appointment to fill that office or vacancy in a manner that
31 will result, at the earliest possible time, in the Governor's
32 appointments to the Advisory Board being comprised of one
33 senior citizen 60 years of age or older, one consumer who is
34 deaf-blind, and one parent of a person who is deaf-blind.

1 One person designated by each agency other than the
2 Department of Human Services may be an employee of that
3 agency. Two persons appointed by the Secretary of Human
4 Services may be employees of the Department of Human
5 Services. The appointments of each appointing authority
6 other than the Governor shall include at least one parent of
7 an individual who is deaf-blind or a person who is
8 deaf-blind.

9 Vacancies in terms shall be filled by the original
10 appointing authority. After the original terms, all terms
11 shall be for 3 years.

12 Except for those members of the Advisory Board who are
13 compensated for State service on a full-time basis, members
14 shall be reimbursed for all actual expenses incurred in the
15 performance of their duties. Each member who is not
16 compensated for State service on a full-time basis shall be
17 compensated at a rate of \$50 per day which he spends on
18 Advisory Board duties. The Advisory Board shall meet at
19 least 4 times per year and not more than 12 times per year.

20 The Advisory Board shall provide for its own
21 organization.

22 Six members of the Advisory Board shall constitute a
23 quorum. The affirmative vote of a majority of all members of
24 the Advisory Board shall be necessary for any action taken by
25 the Advisory Board.

26 The Advisory Board is abolished December 31, 2002 and, no
27 later than that date, all records maintained by the Advisory
28 Board must be delivered to the State Board of Education.

29 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;
30 89-507, eff. 7-1-97.)

31 (105 ILCS 5/14-15.01) (from Ch. 122, par. 14-15.01)
32 Sec. 14-15.01. Community and Residential Services
33 Authority.

1 (a) (1) The Community and Residential Services Authority
2 is hereby created and shall consist of the following members:

3 A representative of the State Board of Education;

4 Three representatives of the Department of Human
5 Services;

6 A representative of the Department of Children and Family
7 Services;

8 A representative of the Department of Public Health;

9 A representative of the Department of Corrections;

10 A representative of the Department of Public Aid;

11 A representative of the Attorney General's Disability
12 Rights Advocacy Division;

13 The Chairperson and Minority Spokesperson of the House
14 and Senate Committees on Elementary and Secondary Education
15 or their designees; and

16 Six persons appointed by the Governor. Five of such
17 appointees shall be experienced or knowledgeable relative to
18 provision of services for individuals with a behavior
19 disorder or a severe emotional disturbance and shall include
20 representatives of both the private and public sectors,
21 except that no more than 2 of those 5 appointees may be from
22 the public sector and at least 2 must be or have been
23 directly involved in provision of services to such
24 individuals. The remaining member appointed by the Governor
25 shall be or shall have been a parent of an individual with a
26 behavior disorder or a severe emotional disturbance, and that
27 appointee may be from either the private or the public
28 sector.

29 (2) Members appointed by the Governor shall be appointed
30 for terms of 4 years and shall continue to serve until their
31 respective successors are appointed; provided that the terms
32 of the original appointees shall expire on August 1, 1990,
33 and the term of the additional member appointed under this
34 amendatory Act of 1992 shall commence upon the appointment

1 and expire August 1, 1994. Any vacancy in the office of a
2 member appointed by the Governor shall be filled by
3 appointment of the Governor for the remainder of the term.

4 A vacancy in the office of a member appointed by the
5 Governor exists when one or more of the following events
6 occur:

7 (i) An appointee dies;

8 (ii) An appointee files a written resignation with
9 the Governor;

10 (iii) An appointee ceases to be a legal resident of
11 the State of Illinois; or

12 (iv) An appointee fails to attend a majority of
13 regularly scheduled Authority meetings in a fiscal year.

14 Members who are representatives of an agency shall serve
15 at the will of the agency head. Membership on the Authority
16 shall cease immediately upon cessation of their affiliation
17 with the agency. If such a vacancy occurs, the appropriate
18 agency head shall appoint another person to represent the
19 agency.

20 If a legislative member of the Authority ceases to be
21 Chairperson or Minority Spokesperson of the designated
22 Committees, they shall automatically be replaced on the
23 Authority by the person who assumes the position of
24 Chairperson or Minority Spokesperson.

25 (b) The Community and Residential Services Authority
26 shall have the following powers and duties:

27 (1) To conduct surveys to determine the extent of
28 need, the degree to which documented need is currently
29 being met and feasible alternatives for matching need
30 with resources.

31 (2) To develop policy statements for interagency
32 cooperation to cover all aspects of service delivery,
33 including laws, regulations and procedures, and clear
34 guidelines for determining responsibility at all times.

1 (3) To recommend policy statements and provide
2 information regarding effective programs for delivery of
3 services to all individuals with a behavior disorder or a
4 severe emotional disturbance in public or private
5 situations.

6 (4) To review the criteria for service eligibility,
7 provision and availability established by the
8 governmental agencies represented on this Authority, and
9 to recommend changes, additions or deletions to such
10 criteria.

11 (5) To develop and submit to the Governor, the
12 General Assembly, the Directors of the agencies
13 represented on the Authority, and the State Board of
14 Education a master plan for individuals with a behavior
15 disorder or a severe emotional disturbance, including
16 detailed plans of service ranging from the least to the
17 most restrictive options; and to assist local
18 communities, upon request, in developing or strengthening
19 collaborative interagency networks.

20 (6) To develop a process for making determinations
21 in situations where there is a dispute relative to a plan
22 of service for individuals or funding for a plan of
23 service.

24 (7) To provide technical assistance to parents,
25 service consumers, providers, and member agency personnel
26 regarding statutory responsibilities of human service and
27 educational agencies, and to provide such assistance as
28 deemed necessary to appropriately access needed services.

29 (c) (1) The members of the Authority shall receive no
30 compensation for their services but shall be entitled to
31 reimbursement of reasonable expenses incurred while
32 performing their duties.

33 (2) The Authority may appoint special study groups to
34 operate under the direction of the Authority and persons

1 appointed to such groups shall receive only reimbursement of
2 reasonable expenses incurred in the performance of their
3 duties.

4 (3) The Authority shall elect from its membership a
5 chairperson, vice-chairperson and secretary.

6 (4) The Authority may employ and fix the compensation of
7 such employees and technical assistants as it deems necessary
8 to carry out its powers and duties under this Act. Staff
9 assistance for the Authority shall be provided by the State
10 Board of Education.

11 (5) Funds for the ordinary and contingent expenses of
12 the Authority shall be appropriated to the State Board of
13 Education in a separate line item.

14 (d) (1) The Authority shall have power to promulgate
15 rules and regulations to carry out its powers and duties
16 under this Act.

17 (2) The Authority may accept monetary gifts or grants
18 from the federal government or any agency thereof, from any
19 charitable foundation or professional association or from any
20 other reputable source for implementation of any program
21 necessary or desirable to the carrying out of the general
22 purposes of the Authority. Such gifts and grants may be held
23 in trust by the Authority and expended in the exercise of its
24 powers and performance of its duties as prescribed by law.

25 (3) The Authority shall submit an annual report of its
26 activities and expenditures to the Governor, the General
27 Assembly, the directors of agencies represented on the
28 Authority, and the State Superintendent of Education.

29 (e) The Authority is abolished December 31, 2002.

30 (Source: P.A. 89-21, eff. 7-1-95; 89-507, eff. 7-1-97;
31 90-566, eff. 1-2-98.)

32 Section 75. The Chicago Community Schools Study
33 Commission Act is amended by changing Section 1 as follows:

1 (105 ILCS 215/1) (from Ch. 122, par. 1301)

2 Sec. 1. Creation. There is created the Chicago
3 Community Schools Study Commission consisting of 27 members
4 as follows: 6 members of the Senate, 3 each to be appointed
5 by the President and the Minority Leader of the Senate, and 6
6 members of the House of Representatives, 3 each to be
7 appointed by the Speaker and the Minority Leader of the
8 House, who have a particular interest in education in
9 Chicago; the State Superintendent of Education or his
10 designee; the General Superintendent of Schools of the Board
11 of Education of the City of Chicago or his designee; the
12 Superintendent of the Cook County Educational Service Region
13 or his designee; and 12 citizens to be appointed, 3 each by
14 the President and Minority Leader of the Senate and the
15 Speaker and Minority Leader of the House, who are actively
16 interested in the education of children in Chicago.
17 Vacancies in the Commission's membership shall be filled in
18 the same manner as the original appointments are made. A
19 vacancy is created if a legislative member is not reelected
20 to the General Assembly or if he retires from that body,
21 except that Commission members who are members of the 82nd
22 General Assembly shall serve on the Commission until the
23 reporting date specified in paragraph (5) of subsection (b)
24 of Section 2. Where a member of the 82nd General Assembly
25 not returning to the legislature serves on the Commission
26 until such reporting date, a vacancy is created after such
27 reporting date. The Commission shall select from its
28 membership a chairman and such other officers as it considers
29 necessary. Members of the Commission shall serve without
30 compensation but shall be reimbursed for actual expenses
31 incurred in the performance of their duties.

32 The Commission is abolished December 31, 2002.

33 (Source: P.A. 82-998.)

1 Section 80. The Health Care Worker Background Check Act
2 is amended by changing Section 65 as follows:

3 (225 ILCS 46/65)

4 Sec. 65. Health Care Worker Task Force. A Health Care
5 Worker Task Force shall be appointed no later than July 1,
6 1996, to study and make recommendations on statutory changes
7 to this Act.

8 (a) The Task Force shall monitor the status of the
9 implementation of this Act and monitor complaint
10 investigations relating to this Act by the Department on
11 Aging, Department of Public Health, Department of
12 Professional Regulation, and the Department of Human Services
13 to determine the criminal background, if any, of health care
14 workers who have had findings of abuse, theft, or
15 exploitation.

16 (b) The Task Force shall make recommendations
17 concerning:

18 (1) additional health care positions, including
19 licensed individuals and volunteers, that should be
20 included in the Act;

21 (2) development of a transition to
22 fingerprint-based State and federal criminal records
23 checks for all direct care applicants or employees;

24 (3) development of a system that is affordable to
25 applicants;

26 (4) modifications to the list of offenses
27 enumerated in Section 25; and

28 (5) any other necessary or desirable changes to the
29 Act.

30 (c) The Task Force shall issue an interim report to the
31 Governor and General Assembly no later than December 31,
32 1996. The final report shall be issued no later than
33 September 30, 1997, and shall include specific statutory

1 changes recommended, if any.

2 (d) The Task Force shall be comprised of the following
3 members who shall serve without pay:

4 (1) a chairman knowledgeable about health care
5 issues, who shall be appointed by the Governor;

6 (2) the Director of the Department of Public Health
7 or his or her designee;

8 (3) the Director of the Department of State Police
9 or his or her designee;

10 (3.5) the Director of the Department of Public Aid
11 or his or her designee;

12 (4) 2 representatives of health care providers who
13 shall be appointed by the Governor;

14 (5) 2 representatives of health care employees who
15 shall be appointed by the Governor;

16 (6) a representative of the general public who has
17 an interest in health care who shall be appointed by the
18 Governor; and

19 (7) 4 members of the General Assembly, one
20 appointed by the Speaker of the House, one appointed by
21 the House Minority Leader, one appointed by the President
22 of the Senate, and one appointed by the Senate Minority
23 Leader.

24 (e) The Task Force is abolished December 31, 2002.

25 (Source: P.A. 89-197, eff. 7-21-95; 89-507, eff. 7-1-97;
26 89-674, eff. 8-14-96; 90-14, eff. 7-1-97.)

27 Section 85. The Energy Assistance Act of 1989 is amended
28 by changing Section 5 as follows:

29 (305 ILCS 20/5) (from Ch. 111 2/3, par. 1405)

30 Sec. 5. Policy Advisory Council.

31 (a) Within the Department of Commerce and Community
32 Affairs is created a Policy Advisory Council to be comprised

1 of:

2 (1) the following ex officio members or their
3 designees: the Director of Commerce and Community
4 Affairs who shall serve as Chair of the Committee, the
5 Director of Natural Resources, the Secretary of Human
6 Services, and the Chairman of the Illinois Commerce
7 Commission; and

8 (2) 9 persons who shall be appointed by the
9 Governor to serve 2 year terms and until their successors
10 are appointed and qualified, 3 of whom shall be persons
11 who represent low income households or organizations
12 which represent such households, 3 of whom shall be
13 representatives of public utilities or other entities
14 which provide winter energy services, and 3 of whom shall
15 be representatives of local agencies engaged by the
16 Department to assist in the administration of this Act.

17 (3) 6 persons who shall be appointed by the
18 Director of the Department of Commerce and Community
19 Affairs to serve 2 year terms and until their successors
20 are appointed and qualified, who shall be persons meeting
21 such qualifications as may be required by the federal
22 government for the administration of the Weatherization
23 Assistance Program funded by the U.S. Department of
24 Energy and any such related energy assistance programs.

25 (4) Members shall serve without compensation, but
26 may receive reimbursement for actual costs incurred in
27 fulfilling their duties as members of the Council.

28 (b) The Policy Advisory Council shall have the following
29 duties:

30 (1) to monitor the administration of this Act to
31 ensure effective, efficient, and coordinated program
32 development and implementation;

33 (2) to assist the Department in developing and
34 administering rules and regulations required to be

1 promulgated pursuant to this Act in a manner consistent
2 with the purpose and objectives of this Act;

3 (3) to facilitate and coordinate the collection and
4 exchange of all program data and other information needed
5 by the Department and others in fulfilling their duties
6 pursuant to this Act;

7 (4) to advise the Department on the proper level of
8 support required for effective administration of the Act;

9 (5) to provide a written opinion concerning any
10 regulation proposed pursuant to this Act, and to review
11 and comment on any energy assistance or related plan
12 required to be prepared by the Department;

13 (6) on or before March 1 of each year beginning in
14 1990, to prepare and submit a report to the Governor and
15 General Assembly which describes the activities of the
16 Department in the development and implementation of
17 energy assistance and related policies and programs,
18 which characterizes progress towards meeting the
19 objectives and requirements of this Act, and which
20 recommends any statutory changes which might be needed to
21 further such progress. The report submitted in 1991
22 shall include an analysis of and recommendations
23 regarding this Act's provisions concerning State payment
24 of pre-program arrearages; and

25 (7) to advise the Department on the use of funds
26 collected pursuant to Section 13 of this Act, and on any
27 changes to existing low-income energy assistance programs
28 to make effective use of such funds, so long as such uses
29 and changes are consistent with the requirements of
30 subsection (a) of Section 13 of this Act.

31 (c) The Policy Advisory Council is abolished December
32 31, 2002 and, no later than that date, all records maintained
33 by the Policy Advisory Council must be delivered to the
34 Department.

1 (Source: P.A. 89-445, eff. 2-7-96; 89-507, eff. 7-1-97;
2 90-561, eff. 12-16-97.)

3 Section 90. The Illinois Affordable Housing Act is
4 amended by changing Section 6 as follows:

5 (310 ILCS 65/6) (from Ch. 67 1/2, par. 1256)

6 Sec. 6. Advisory Commission.

7 (a) There is hereby created the Illinois Affordable
8 Housing Advisory Commission. The Commission shall consist of
9 15 members. Three of the Commissioners shall be the Directors
10 of the Illinois Housing Development Authority, the Illinois
11 Development Finance Authority and the Department of Commerce
12 and Community Affairs or their representatives. One of the
13 Commissioners shall be the Commissioner of the Chicago
14 Department of Housing or its representative. The remaining 11
15 members shall be appointed by the Governor, with the advice
16 and consent of the Senate, and not more than 4 of these
17 Commission members shall reside in any one county in the
18 State. At least one Commission member shall be an
19 administrator of a public housing authority from other than a
20 municipality having a population in excess of 2,000,000; at
21 least 2 Commission members shall be representatives of
22 special needs populations as described in subsection (e) of
23 Section 8; at least 4 Commission members shall be
24 representatives of community-based organizations engaged in
25 the development or operation of housing for low-income and
26 very low-income households; and at least 4 Commission members
27 shall be representatives of advocacy organizations, one of
28 which shall represent a tenants' advocacy organization. The
29 Governor shall consider nominations made by advocacy
30 organizations and community-based organizations.

31 (b) Members appointed to the Commission shall serve a
32 term of 3 years; however, 3 members first appointed under

1 this Act shall serve an initial term of one year, and 4
2 members first appointed under this Act shall serve a term of
3 2 years. Individual terms of office shall be chosen by lot
4 at the initial meeting of the Commission. The Governor shall
5 appoint the Chairman of the Commission, and the Commission
6 members shall elect a Vice Chairman.

7 (c) Members of the Commission shall not be entitled to
8 compensation, but shall receive reimbursement for actual and
9 reasonable expenses incurred in the performance of their
10 duties.

11 (d) Eight members of the Commission shall constitute a
12 quorum for the transaction of business.

13 (e) The Commission shall meet at least quarterly and its
14 duties and responsibilities are:

15 (1) the study and review of the availability of
16 affordable housing for low-income and very low-income
17 households in the State of Illinois and the development
18 of a plan which addresses the need for additional
19 affordable housing;

20 (2) encouraging collaboration between federal and
21 State agencies, local government and the private sector
22 in the planning, development and operation of affordable
23 housing for low-income and very low-income households;

24 (3) studying, evaluating and soliciting new and
25 expanded sources of funding for affordable housing;

26 (4) developing, proposing, reviewing, and
27 commenting on priorities, policies and procedures for
28 uses and expenditures of Trust Fund monies, including
29 policies which assure equitable distribution of funds
30 statewide;

31 (5) making recommendations to the Program
32 Administrator concerning proposed expenditures from the
33 Trust Fund;

34 (6) making recommendations to the Program

1 Administrator concerning the developments proposed to be
2 financed with the proceeds of Affordable Housing Program
3 Trust Fund Bonds or Notes;

4 (7) reviewing and commenting on the development of
5 priorities, policies and procedures for the
6 administration of the Program;

7 (8) monitoring and evaluating all allocations of
8 funds under this Program; and

9 (9) making recommendations to the General Assembly
10 for further legislation that may be necessary in the area
11 of affordable housing.

12 (f) The Commission is abolished December 31, 2002 and,
13 no later than that date, all records maintained by the
14 Commission must be delivered to the Program Administrator.

15 (Source: P.A. 88-93; 89-286, eff. 8-10-95.)

16 Section 95. The Infant Mortality Reduction Act is
17 amended by changing Section 7 as follows:

18 (410 ILCS 220/7) (from Ch. 111 1/2, par. 7007)

19 Sec. 7. (a) There is created within the Department an
20 Infant Mortality Reduction Advisory Board to advise the
21 Department on the implementation of this Act and other
22 activities related to the reduction of infant mortality in
23 the State of Illinois. The Board shall consist of the
24 Secretary of Human Services (or his or her designee), who
25 shall serve as chairman, and one additional representative of
26 the Department of Human Services designated by the Secretary;
27 one representative each from the Departments of Children and
28 Family Services, Public Health, and Public Aid; a
29 representative from the University of Illinois' Division of
30 Specialized Care for Children; a representative from the
31 State Board of Education and 4 members of the Illinois
32 General Assembly, one each appointed by the President and

1 Minority Leader of the Senate and the Speaker and Minority
2 Leader of the House of Representatives. In addition, the
3 Governor shall appoint 4 physicians licensed to practice
4 medicine in all of its branches, one of whom shall be an
5 individual with a specialty in obstetrics and gynecology, one
6 of whom shall be an individual with a specialty in perinatal
7 medicine, one of whom shall be an individual with a specialty
8 in neonatal medicine and one of whom shall be an individual
9 with a specialty in pediatrics; the director of a perinatal
10 center; a hospital administrator; a representative from a
11 local health department; a social worker; a nutritionist; a
12 registered professional nurse; 4 individuals involved in
13 programs to reduce infant mortality and 2 public members, one
14 of whom shall be a senior citizen 60 years of age or older.

15 Each legislative member shall serve during his term of
16 office in the Illinois General Assembly. Each member
17 appointed by the Governor shall serve a term of 3 years or
18 until his successor is appointed. Any member appointed to
19 fill a vacancy occurring prior to the expiration of the term
20 for which his predecessor was appointed shall be appointed
21 for the remainder of such term. Members of the Board shall
22 serve without compensation but shall be reimbursed for
23 necessary expenses incurred in the performance of their
24 duties.

25 (b) The Board shall advise the Secretary on efforts to
26 reduce infant mortality in the State of Illinois. In
27 addition, the Board shall review the formula developed
28 pursuant to Section 4 and make such recommendations as it
29 deems appropriate. In performing its duties the Board may
30 hold hearings throughout the State and advise and receive
31 advice from any local advisory bodies created to address the
32 infant mortality problem.

33 (c) The Board shall report to the General Assembly on or
34 before April 15th of each year, a listing of activities taken

1 to address infant mortality and a annual summary of data
2 collected under Section 4 of this Act.

3 (d) The Board is abolished December 31, 2002 and, no
4 later than that date, all records maintained by the Board
5 must be delivered to the Department.

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

7 Section 100. The Alzheimer's Disease Assistance Act is
8 amended by changing Section 6 as follows:

9 (410 ILCS 405/6) (from Ch. 111 1/2, par. 6956)

10 Sec. 6. ADA Advisory Committee. There is created the
11 Alzheimer's Disease Advisory Committee consisting of 21
12 voting members appointed by the Director of the Department,
13 as well as 5 nonvoting members as hereinafter provided in
14 this Section. The Director or his designee shall serve as
15 one of the 21 voting members and as the Chairman of the
16 Committee. Those appointed as voting members shall include
17 persons who are experienced in research and the delivery of
18 services to victims and their families. Such members shall
19 include 4 physicians licensed to practice medicine in all of
20 its branches, one representative of a postsecondary
21 educational institution which administers or is affiliated
22 with a medical center in the State, one representative of a
23 licensed hospital, one registered nurse, one representative
24 of a long term care facility under the Nursing Home Care Act,
25 one representative of an area agency on aging as defined by
26 Section 3.07 of the Illinois Act on the Aging, one social
27 worker, one representative of an organization established
28 under the Illinois Insurance Code for the purpose of
29 providing health insurance, 5 family members or
30 representatives of victims of Alzheimer's disease and related
31 disorders, and 4 members of the general public. Among the
32 physician appointments shall be persons with specialties in

1 the fields of neurology, family medicine, psychiatry and
2 pharmacology. Among the general public members, at least 2
3 appointments shall include persons 65 years of age or older.

4 In addition to the 21 voting members, the Secretary of
5 Human Services (or his or her designee) and one additional
6 representative of the Department of Human Services designated
7 by the Secretary plus the Directors of the following State
8 agencies or their designees shall serve as nonvoting members:
9 Department on Aging, Department of Public Aid, and
10 Guardianship and Advocacy Commission.

11 Each voting member appointed by the Director of Public
12 Health shall serve for a term of 2 years, and until his
13 successor is appointed and qualified. Members of the
14 Committee shall not be compensated but shall be reimbursed
15 for expenses actually incurred in the performance of their
16 duties. No more than 11 voting members may be of the same
17 political party. Vacancies shall be filled in the same
18 manner as original appointments.

19 The Committee is abolished December 31, 2002 and, no
20 later than that date, all records maintained by the Committee
21 must be delivered to the Department.

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

23 Section 105. The Illinois Low-Level Radioactive Waste
24 Management Act is amended by changing Section 10.2 as
25 follows:

26 (420 ILCS 20/10.2) (from Ch. 111 1/2, par. 241-10.2)

27 Sec. 10.2. Creation of Low-Level Radioactive Waste Task
28 Group; adoption of criteria; selection of site for
29 characterization.

30 (a) There is hereby created the Low-Level Radioactive
31 Waste Task Group consisting of the Directors of the
32 Environmental Protection Agency, the Department of Natural

1 Resources, and the Department of Nuclear Safety (or their
2 designees) and 6 additional members designated by the
3 Governor. The 6 additional members shall:

- 4 (1) be confirmed by the Senate; and
- 5 (2) receive compensation of \$300 per day for their
6 services on the Task Group unless they are officers or
7 employees of the State, in which case they shall receive
8 no additional compensation.

9 Four of the additional members shall have expertise in
10 the field of geology, hydrogeology, or hydrology. Of the 2
11 remaining additional members, one shall be a member of the
12 public with experience in environmental matters and one shall
13 have at least 5 years experience in local government. The
14 Directors of the Environmental Protection Agency, the
15 Department of Natural Resources, and the Department of
16 Nuclear Safety (or their designees) shall receive no
17 additional compensation for their service on the Task Group.
18 All members of the Task Group shall be compensated for their
19 expenses. The Governor shall designate the chairman of the
20 Task Group. Upon adoption of the criteria under subsection
21 (b) of this Section, the Directors of the Department of
22 Nuclear Safety and the Environmental Protection Agency shall
23 be replaced on the Task Group by members designated by the
24 Governor and confirmed by the Senate. The members designated
25 to replace the Directors of the Department of Nuclear Safety
26 and the Environmental Protection Agency shall have such
27 expertise as the Governor may determine. The members of the
28 Task Group shall be members until they resign, are replaced
29 by the Governor, or the Task Group is abolished. Except as
30 provided in this Act, the Task Group shall be subject to the
31 Open Meetings Act and the Illinois Administrative Procedure
32 Act. Any action required to be taken by the Task Group under
33 this Act shall be taken by a majority vote of its members. An
34 identical vote by 5 members of the Task Group shall

1 constitute a majority vote.

2 (b) To protect the public health, safety and welfare,
3 the Task Group shall develop proposed criteria for selection
4 of a site for a regional disposal facility. Principal
5 criteria shall relate to the geographic, geologic,
6 seismologic, tectonic, hydrologic, and other scientific
7 conditions best suited for a regional disposal facility.
8 Supplemental criteria may relate to land use (including (i)
9 the location of existing underground mines and (ii) the
10 exclusion of State parks, State conservation areas, and other
11 State owned lands identified by the Task Group), economics,
12 transportation, meteorology, and any other matter identified
13 by the Task Group as relating to desirable conditions for a
14 regional disposal facility. All of the criteria shall be as
15 specific as possible.

16 The chairman of the Task Group shall publish a notice of
17 availability of the proposed criteria in the State newspaper,
18 make copies of the proposed criteria available without charge
19 to the public, and hold public hearings to receive comments
20 on the proposed criteria. Written comments on the proposed
21 criteria may be submitted to the chairman of the Task Group
22 within a time period to be determined by the Task Group.
23 Upon completion of the review of timely submitted comments on
24 the proposed criteria, the Task Group shall adopt criteria
25 for selection of a site for a regional disposal facility.
26 Adoption of the criteria is not subject to the Illinois
27 Administrative Procedure Act. The chairman of the Task Group
28 shall provide copies of the criteria to the Governor, the
29 President and Minority Leader of the Senate, the Speaker and
30 Minority Leader of the House, and all county boards in the
31 State of Illinois and shall make copies of the criteria
32 available without charge to the public.

33 (c) Upon adoption of the criteria, the Director of
34 Natural Resources shall direct the Scientific Surveys to

1 screen the State of Illinois. By September 30, 1997, the
2 Scientific Surveys shall (i) complete a Statewide screening
3 of the State using available information and the Surveys'
4 geography-based information system to produce individual and
5 composite maps showing the application of individual
6 criteria; (ii) complete the evaluation of all land
7 volunteered before the effective date of this amendatory Act
8 of 1997 to determine whether any of the volunteered land
9 appears likely to satisfy the criteria; (iii) document the
10 results of the screening and volunteer site evaluations in a
11 written report and submit the report to the chairman of the
12 Task Group and to the Director; and (iv) transmit to the Task
13 Group and to the Department, in a form specified by the Task
14 Group and the Department, all information and documents
15 assembled by the Scientific Surveys in performing the
16 obligations of the Scientific Surveys under this Act. Upon
17 completion of the screening and volunteer site evaluation
18 process, the Director of the Department of Natural Resources
19 shall be replaced on the Task Group by a member appointed by
20 the Governor and confirmed by the Senate. The member
21 appointed to replace the Director of the Department of
22 Natural Resources shall have expertise that the Governor
23 determines to be appropriate.

24 (c-3) By December 1, 2000, the Department, in
25 consultation with the Task Group, waste generators, and any
26 interested counties and municipalities and after holding 3
27 public hearings throughout the State, shall prepare a report
28 regarding, at a minimum, the impact and ramifications, if
29 any, of the following factors and circumstances on the
30 siting, design, licensure, development, construction,
31 operation, closure, and post-closure care of a regional
32 disposal facility:

33 (1) the federal, state, and regional programs for
34 the siting, development, and operation of disposal

1 facilities for low-level radioactive wastes and the
2 nature, extent, and likelihood of any legislative or
3 administrative changes to those programs;

4 (2) (blank);

5 (3) the current and most reliable projections
6 regarding the costs of the siting, design, development,
7 construction, operation, closure, decommissioning, and
8 post-closure care of a regional disposal facility;

9 (4) the current and most reliable estimates of the
10 total volume of low-level radioactive waste that will be
11 disposed at a regional disposal facility in Illinois and
12 the projected annual volume amounts;

13 (5) the nature and extent of the available, if any,
14 storage and disposal facilities outside the region of the
15 Compact for storage and disposal of low-level radioactive
16 waste generated from within the region of the Compact;
17 and

18 (6) the development and implementation of a
19 voluntary site selection process in which land may be
20 volunteered for the regional disposal facility jointly by
21 landowners and (i) the municipality in which the land is
22 located, (ii) every municipality within 1 1/2 miles of
23 the land if the land is not within a municipality, or
24 (iii) the county or counties in which the land is located
25 if the land is not within a municipality and not within 1
26 1/2 miles of a municipality. The Director shall provide
27 copies of the report to the Governor, the President and
28 Minority Leader of the Senate, and the Speaker and
29 Minority Leader of the House. The Director shall also
30 publish a notice of availability of the report in the
31 State newspaper and make copies of the report available
32 without charge to the public.

33 (c-5) Following submittal of the report pursuant to
34 subsection (c-3) of this Section, the Department may adopt

1 rules establishing a site selection process for the regional
2 disposal facility. In developing rules, the Department
3 shall, at a minimum, consider the following:

4 (1) A comprehensive and open process under which
5 the land for sites recommended and proposed by the
6 contractor under subsection (e) of this Section shall be
7 volunteered lands as provided in this Section. Land may
8 be volunteered for the regional disposal facility jointly
9 by landowners and (i) the municipality in which the land
10 is located, (ii) every municipality with 1 1/2 miles of
11 the land if the land is not within a municipality, or
12 (iii) the county or counties in which the land is located
13 if the land is not within a municipality and not within 1
14 1/2 miles of a municipality.

15 (2) Utilization of the State screening and
16 volunteer site evaluation report prepared by the
17 Scientific Surveys under subsection (c) of this Section
18 for the purpose of determining whether proposed sites
19 appear likely to satisfy the site selection criteria.

20 (3) Coordination of the site selection process with
21 the projected annual and total volume of low-level
22 radioactive waste to be disposed at the regional disposal
23 facility as identified in the report prepared under
24 subsection (c-3) of this Section.

25 The site selection process established under this
26 subsection shall require the contractor selected by the
27 Department pursuant to Sections 5 and 10 of this Act to
28 propose one site to the Task Group for approval under
29 subsections (d) through (i) of this Section.

30 No proposed site shall be selected as the site for the
31 regional disposal facility unless it satisfies the site
32 selection criteria established by the Task Group under
33 subsection (b) of this Section.

34 (d) The contractor selected by the Department under

1 Sections 5 and 10 of this Act shall conduct evaluations,
2 including possible intrusive field investigations, of the
3 sites and locations identified under the site selection
4 process established under subsection (c-5) of this Section.

5 (e) Upon completion of the site evaluations, the
6 contractor selected by the Department shall identify one site
7 of at least 640 acres that appears promising for development
8 of the regional disposal facility in compliance with the site
9 selection criteria established by the Task Group pursuant to
10 subsection (b) of this Section. The contractor may conduct
11 any other evaluation of the site identified under this
12 subsection that the contractor deems appropriate to determine
13 whether the site satisfies the criteria adopted under
14 subsection (b) of this Section. Upon completion of the
15 evaluations under this subsection, the contractor shall
16 prepare and submit to the Department a report on the
17 evaluation of the identified site, including a recommendation
18 as to whether the identified site should be further
19 considered for selection as a site for the regional disposal
20 facility. A site so recommended for further consideration is
21 hereinafter referred to as a "proposed site".

22 (f) A report completed under subsection (e) of this
23 Section that recommends a proposed site shall also be
24 submitted to the chairman of the Task Group. Within 45 days
25 following receipt of a report, the chairman of the Task Group
26 shall publish in newspapers of general circulation in the
27 county or counties in which a proposed site is located a
28 notice of the availability of the report and a notice of a
29 public meeting. The chairman of the Task Group shall also,
30 within the 45-day period, provide copies of the report and
31 the notice to the Governor, the President and Minority Leader
32 of the Senate, the Speaker and Minority Leader of the House,
33 members of the General Assembly from the legislative district
34 or districts in which a proposed site is located, the county

1 board or boards of the county or counties containing a
2 proposed site, and each city, village, and incorporated town
3 within a 5 mile radius of a proposed site. The chairman of
4 the Task Group shall make copies of the report available
5 without charge to the public.

6 (g) The chairman of the Task Group shall convene at
7 least one public meeting on each proposed site. At the
8 public meeting or meetings, the contractor selected by the
9 Department shall present the results of the evaluation of the
10 proposed site. The Task Group shall receive such other
11 written and oral information about the proposed site that may
12 be submitted at the meeting. Following the meeting, the Task
13 Group shall decide whether the proposed site satisfies the
14 criteria adopted under subsection (b) of this Section. If
15 the Task Group determines that the proposed site does not
16 satisfy the criteria, the Department may require a contractor
17 to submit a further report pursuant to subsection (e) of this
18 Section proposing another site from the locations identified
19 under the site selection process established pursuant to
20 subsection (c-5) of this Section as likely to satisfy the
21 criteria. Following notice and distribution of the report as
22 required by subsection (f) of this Section, the new proposed
23 site shall be the subject of a public meeting under this
24 subsection. The contractor selected by the Department shall
25 propose additional sites, and the Task Group shall conduct
26 additional public meetings, until the Task Group has approved
27 a proposed site recommended by a contractor as satisfying the
28 criteria adopted under subsection (b) of this Section. In
29 the event that the Task Group does not approve any of the
30 proposed sites recommended by the contractor under this
31 subsection as satisfying the criteria adopted under
32 subsection (b) of this Section, the Task Group shall
33 immediately suspend all work and the Department shall prepare
34 a study containing, at a minimum, the Department's

1 recommendations regarding the viability of the site selection
2 process established pursuant to this Act, based on the
3 factors and circumstances specified in items (1) through (6)
4 of subsection (c-3) of Section 10.2. The Department shall
5 provide copies of the study to the Governor, the President
6 and Minority Leader of the Senate, and the Speaker and
7 Minority Leader of the House. The Department shall also
8 publish a notice of availability of the study in the State
9 newspaper and make copies of the report available without
10 charge to the public.

11 (h) (Blank).

12 (i) Upon the Task Group's decision that a proposed site
13 satisfies the criteria adopted under subsection (b) of this
14 Section, the contractor shall proceed with the
15 characterization and licensure of the proposed site under
16 Section 10.3 of this Act and the Task Group shall immediately
17 suspend all work, except as otherwise specifically required
18 in subsection (b) of Section 10.3 of this Act.

19 (j) The Task Group is abolished December 31, 2002 and,
20 no later than that date, all records maintained by the Task
21 Group must be delivered to the Department.

22 (Source: P.A. 90-29, eff. 6-26-97; 91-601, eff. 8-16-99.)

23 Section 110. The Hazardous Materials Emergency Act is
24 amended by changing Section 4 as follows:

25 (430 ILCS 50/4) (from Ch. 127, par. 1254)

26 Sec. 4. There is hereby created a Hazardous Materials
27 Advisory Board, composed of 21 members as follows: the
28 Director of the Illinois Emergency Management Agency, or his
29 designee; the Director of Agriculture or his designee; the
30 Chairman of the Illinois Commerce Commission or his designee;
31 the Director of Public Health or his designee; the Director
32 of the Environmental Protection Agency or his designee; the

1 Secretary of Transportation or his designee; the State Fire
2 Marshal or his designee; the Director of State Police or his
3 designee; the Director of Natural Resources or his designee;
4 the Illinois Attorney General or his designee; the Director
5 of Nuclear Safety or his designee; the Executive Director of
6 the Illinois Law Enforcement Training Standards Board or his
7 designee; the Director of the Illinois Fire Service
8 Institute, University of Illinois, or his designee; and a
9 representative from the Illinois Association of Chiefs of
10 Police; the Illinois Fire Chief's Association; the Illinois
11 Sheriff's Association; the Illinois Emergency Services
12 Management Association; and 4 members appointed by the
13 Governor, one of whom shall represent volunteer firefighters,
14 one of whom shall represent the local emergency response
15 service and two shall represent the business community. The
16 Chairman shall be selected by the membership from those
17 members not representing a State agency.

18 The Board shall meet within 90 days of the effective date
19 of this amendatory Act of 1984 to select a chairman, other
20 officers and establish an organization structure as the
21 members deem necessary and thereafter at the call of the
22 chair or any 11 members. A person who has been designated by
23 the Director of his department to represent the Director on
24 the Board shall be entitled to vote on all questions before
25 the Board. Eleven members of the Board constitute a quorum,
26 except that where members have not been appointed or
27 designated to the Board, a quorum shall be constituted by a
28 simple majority of the appointed or designated membership.

29 The Board shall advise and make recommendations to the
30 Agency regarding the reporting of an accident involving
31 hazardous materials and to the Department regarding the
32 placarding of transportation of hazardous materials. The
33 Board shall design a program and develop a Statewide plan
34 providing for a coordinating system among State agencies and

1 departments and units of local government, for response to
2 accidents involving hazardous materials. Every attempt shall
3 be made to avoid requiring any person to report an accident
4 involving hazardous materials to more than one State agency.
5 If at all possible, the primary agency receiving the reports
6 shall be the Illinois Emergency Management Agency, and that
7 agency shall relay reports to other State and local agencies.

8 The Board shall form from among its members, an Emergency
9 Response Training and Standards Committee. The Secretary of
10 Transportation or his designee, the State Fire Marshal or his
11 designee, and the representatives from the Chiefs of Police,
12 Fire Chiefs and Sheriff's Association shall also serve on the
13 Committee. It shall be the duty of this Committee, with
14 final approval of the Board, to recommend standardized
15 training courses for firefighters, police officers, and other
16 hazardous material emergency response personnel of the State
17 and local governments; to recommend standards for hazardous
18 material emergency response equipment; and recommend
19 standards for achievement levels for the various hazardous
20 material emergency response personnel. The standardized
21 courses shall include training for firefighters, police
22 officers, and other hazardous material emergency response
23 personnel described in the federal regulations relating to
24 the placarding system that has been promulgated under the
25 Hazardous Materials Transportation Act (P.L. 93-633).

26 The Board shall review and recommend the material to be
27 provided under Sections 5.04, 5.05, and 5.06 of this Act and
28 assure the development of a plan for those activities in
29 Section 5.07 of this Act.

30 The Board shall have the duty to study and recommend to
31 the various State agencies, local governments and the General
32 Assembly any aspect of placarding in transportation, hazard
33 signage systems, the training of hazardous material emergency
34 response personnel, the equipment used in hazardous material

1 emergency response, the planning for hazardous material
2 emergency response, and the dissemination of information
3 concerning these areas.

4 The Department of Transportation and the Illinois
5 Emergency Management Agency shall furnish meeting facilities,
6 staff, and other administrative needs of the Board. The
7 Agency or the Department shall inform the Board whenever the
8 Agency or the Department is considering the adoption of any
9 regulations under this Act. The Agency or the Department
10 shall send a copy of all proposed regulations to each member
11 of the Board; the Board shall be represented at all public
12 hearings regarding proposals for and changes in Agency or the
13 Department regulations. The Board may, at its discretion,
14 present the Agency or the Department with its written
15 evaluation of the proposed regulations or changes.

16 Before the Department exempts any hazardous material from
17 the placarding regulations, under Section 3 of this Act, the
18 Board must approve the regulations providing for the
19 exemption.

20 The Board is abolished December 31, 2002 and, no later
21 than that date, all records maintained by the Board must be
22 delivered to the Department.

23 (Source: P.A. 89-445, eff. 2-7-96; 90-449, eff. 8-16-97.)

24 Section 995. No acceleration or delay. Where this Act
25 makes changes in a statute that is represented in this Act by
26 text that is not yet or no longer in effect (for example, a
27 Section represented by multiple versions), the use of that
28 text does not accelerate or delay the taking effect of (i)
29 the changes made by this Act or (ii) provisions derived from
30 any other Public Act.

31 Section 999. Effective date. This Act takes effect upon
32 becoming law.

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Statutes amended in order of appearance

20 ILCS 5/5-525 was 20 ILCS 5/6.01
20 ILCS 5/5-565 was 20 ILCS 5/6.06
20 ILCS 301/10-5
20 ILCS 605/605-360 was 20 ILCS 605/46.19a in part
20 ILCS 710/5.1
20 ILCS 1705/64 from Ch. 91 1/2, par. 100-64
20 ILCS 2310/2310-315 was 20 ILCS 2310/55.41
20 ILCS 3105/14 from Ch. 127, par. 783.01
20 ILCS 3505/7.22 from Ch. 48, par. 850.07m
20 ILCS 3910/1 from Ch. 38, par. 1301
20 ILCS 3950/2 from Ch. 111 1/2, par. 2702
20 ILCS 3950/4 from Ch. 111 1/2, par. 2704
20 ILCS 4000/3 from Ch. 127, par. 132.633
20 ILCS 4030/Act rep.
45 ILCS 90/3 from Ch. 122, par. 100-3
105 ILCS 5/14-11.02 from Ch. 122, par. 14-11.02
105 ILCS 5/14-15.01 from Ch. 122, par. 14-15.01
105 ILCS 215/1 from Ch. 122, par. 1301
225 ILCS 46/65
305 ILCS 20/5 from Ch. 111 2/3, par. 1405
310 ILCS 65/6 from Ch. 67 1/2, par. 1256
410 ILCS 220/7 from Ch. 111 1/2, par. 7007
410 ILCS 405/6 from Ch. 111 1/2, par. 6956
420 ILCS 20/10.2 from Ch. 111 1/2, par. 241-10.2
430 ILCS 50/4 from Ch. 127, par. 1254