

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 Section 5-520 as follows:

6 (20 ILCS 5/5-520) (was 20 ILCS 5/6.27)

7 Sec. 5-520. In the Department on Aging. A Council on  
8 Aging and-a-Coordinating-Committee-of-State-Agencies-Serving  
9 Elder-Persons composed and appointed as provided in the  
10 Illinois Act on the Aging.

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

12 Section 10. The Illinois Act on the Aging is amended by  
13 changing Section 4.01 as follows:

14 (20 ILCS 105/4.01) (from Ch. 23, par. 6104.01)

15 Sec. 4.01. Additional powers and duties of the  
16 Department. In addition to powers and duties otherwise  
17 provided by law, the Department shall have the following  
18 powers and duties:

19 (1) To evaluate all programs, services, and facilities  
20 for the aged and for minority senior citizens within the  
21 State and determine the extent to which present public or  
22 private programs, services and facilities meet the needs of  
23 the aged.

24 (2) To coordinate and evaluate all programs, services,  
25 and facilities for the Aging and for minority senior citizens  
26 presently furnished by State agencies and make appropriate  
27 recommendations regarding such services, programs and  
28 facilities to the Governor and/or the General Assembly.

29 (3) To function as the sole State agency to develop a

1 comprehensive plan to meet the needs of the State's senior  
2 citizens and the State's minority senior citizens.

3 (4) To receive and disburse State and federal funds made  
4 available directly to the Department including those funds  
5 made available under the Older Americans Act and the Senior  
6 Community Service Employment Program for providing services  
7 for senior citizens and minority senior citizens or for  
8 purposes related thereto, and shall develop and administer  
9 any State Plan for the Aging required by federal law.

10 (5) To solicit, accept, hold, and administer in behalf  
11 of the State any grants or legacies of money, securities, or  
12 property to the State of Illinois for services to senior  
13 citizens and minority senior citizens or purposes related  
14 thereto.

15 (6) To provide consultation and assistance to  
16 communities, area agencies on aging, and groups developing  
17 local services for senior citizens and minority senior  
18 citizens.

19 (7) To promote community education regarding the  
20 problems of senior citizens and minority senior citizens  
21 through institutes, publications, radio, television and the  
22 local press.

23 (8) To cooperate with agencies of the federal government  
24 in studies and conferences designed to examine the needs of  
25 senior citizens and minority senior citizens and to prepare  
26 programs and facilities to meet those needs.

27 (9) To establish and maintain information and referral  
28 sources throughout the State when not provided by other  
29 agencies.

30 (10) To provide the staff support as may reasonably be  
31 required by the Council and ~~the Coordinating Committee of~~  
32 ~~State Agencies Serving Older Persons.~~

33 (11) To make and enforce rules and regulations necessary  
34 and proper to the performance of its duties.

1           (12) To establish and fund programs or projects or  
2 experimental facilities that are specially designed as  
3 alternatives to institutional care.

4           (13) To develop a training program to train the  
5 counselors presently employed by the Department's aging  
6 network to provide Medicare beneficiaries with counseling and  
7 advocacy in Medicare, private health insurance, and related  
8 health care coverage plans. The Department shall report to  
9 the General Assembly on the implementation of the training  
10 program on or before December 1, 1986.

11          (14) To make a grant to an institution of higher  
12 learning to study the feasibility of establishing and  
13 implementing an affirmative action employment plan for the  
14 recruitment, hiring, training and retraining of persons 60 or  
15 more years old for jobs for which their employment would not  
16 be precluded by law.

17          (15) To present one award annually in each of the  
18 categories of community service, education, the performance  
19 and graphic arts, and the labor force to outstanding Illinois  
20 senior citizens and minority senior citizens in recognition  
21 of their individual contributions to either community  
22 service, education, the performance and graphic arts, or the  
23 labor force. The awards shall be presented to four senior  
24 citizens and minority senior citizens selected from a list of  
25 44 nominees compiled annually by the Department. Nominations  
26 shall be solicited from senior citizens' service providers,  
27 area agencies on aging, senior citizens' centers, and senior  
28 citizens' organizations. ~~The--Department--shall--consult--with~~  
29 ~~the--Coordinating--Committee--of--State--Agencies--Serving--Older~~  
30 ~~Persons--to--determine--which--of--the--nominees--shall--be--the~~  
31 ~~recipient--in--each--category--of--community--service.~~ The  
32 Department shall establish a central location within the  
33 State to be designated as the Senior Illinoisans Hall of Fame  
34 for the public display of all the annual awards, or replicas

1       thereof.

2           (16) To establish multipurpose senior centers through  
3 area agencies on aging and to fund those new and existing  
4 multipurpose senior centers through area agencies on aging,  
5 the establishment and funding to begin in such areas of the  
6 State as the Department shall designate by rule and as  
7 specifically appropriated funds become available.

8           (17) To develop the content and format of the  
9 acknowledgment regarding non-recourse reverse mortgage loans  
10 under Section 6.1 of the Illinois Banking Act; to provide  
11 independent consumer information on reverse mortgages and  
12 alternatives; and to refer consumers to independent  
13 counseling services with expertise in reverse mortgages.

14           (18) To develop a pamphlet in English and Spanish which  
15 may be used by physicians licensed to practice medicine in  
16 all of its branches pursuant to the Medical Practice Act of  
17 1987, pharmacists licensed pursuant to the Pharmacy Practice  
18 Act and Illinois residents 65 years of age or older for the  
19 purpose of assisting physicians, pharmacists, and patients in  
20 monitoring prescriptions provided by various physicians and  
21 to aid persons 65 years of age or older in complying with  
22 directions for proper use of pharmaceutical prescriptions.  
23 The pamphlet may provide space for recording information  
24 including but not limited to the following:

- 25           (a) name and telephone number of the patient;
- 26           (b) name and telephone number of the prescribing  
27       physician;
- 28           (c) date of prescription;
- 29           (d) name of drug prescribed;
- 30           (e) directions for patient compliance; and
- 31           (f) name and telephone number of dispensing  
32       pharmacy.

33           In developing the pamphlet, the Department shall consult  
34 with the Illinois State Medical Society, the Center for

1 Minority Health Services, the Illinois Pharmacists  
2 Association and senior citizens organizations. The  
3 Department shall distribute the pamphlets to physicians,  
4 pharmacists and persons 65 years of age or older or various  
5 senior citizen organizations throughout the State.

6 (19) To conduct a study by April 1, 1994 of the  
7 feasibility of implementing the Senior Companion Program  
8 throughout the State for the fiscal year beginning July 1,  
9 1994.

10 (20) With respect to contracts in effect on July 1,  
11 1994, the Department shall increase the grant amounts so that  
12 the reimbursement rates paid through the community care  
13 program for chore housekeeping services and homemakers are at  
14 the same rate, which shall be the higher of the 2 rates  
15 currently paid. With respect to all contracts entered into,  
16 renewed, or extended on or after July 1, 1994, the  
17 reimbursement rates paid through the community care program  
18 for chore housekeeping services and homemakers shall be the  
19 same.

20 (21) From funds appropriated to the Department from the  
21 Meals on Wheels Fund, a special fund in the State treasury  
22 that is hereby created, and in accordance with State and  
23 federal guidelines and the intrastate funding formula, to  
24 make grants to area agencies on aging, designated by the  
25 Department, for the sole purpose of delivering meals to  
26 homebound persons 60 years of age and older.

27 (22) To distribute, through its area agencies on aging,  
28 information alerting seniors on safety issues regarding  
29 emergency weather conditions, including extreme heat and  
30 cold, flooding, tornadoes, electrical storms, and other  
31 severe storm weather. The information shall include all  
32 necessary instructions for safety and all emergency telephone  
33 numbers of organizations that will provide additional  
34 information and assistance.

1           (23) To develop guidelines for the organization and  
2 implementation of Volunteer Services Credit Programs to be  
3 administered by Area Agencies on Aging or community based  
4 senior service organizations. The Department shall hold  
5 public hearings on the proposed guidelines for public  
6 comment, suggestion, and determination of public interest.  
7 The guidelines shall be based on the findings of other states  
8 and of community organizations in Illinois that are currently  
9 operating volunteer services credit programs or demonstration  
10 volunteer services credit programs. The Department shall  
11 offer guidelines for all aspects of the programs including,  
12 but not limited to, the following:

13           (a) types of services to be offered by volunteers;

14           (b) types of services to be received upon the  
15 redemption of service credits;

16           (c) issues of liability for the volunteers and the  
17 administering organizations;

18           (d) methods of tracking service credits earned and  
19 service credits redeemed;

20           (e) issues of time limits for redemption of service  
21 credits;

22           (f) methods of recruitment of volunteers;

23           (g) utilization of community volunteers, community  
24 service groups, and other resources for delivering  
25 services to be received by service credit program  
26 clients;

27           (h) accountability and assurance that services will  
28 be available to individuals who have earned service  
29 credits; and

30           (i) volunteer screening and qualifications.

31 The Department shall submit a written copy of the guidelines  
32 to the General Assembly by July 1, 1998.

33 (Source: P.A. 89-249, eff. 8-4-95; 89-580, eff. 1-1-97;  
34 90-251, eff. 1-1-98.)

- 1 (20 ILCS 105/3.04 rep.)
- 2 (20 ILCS 105/7.02 rep.)
- 3 (20 ILCS 105/8 rep.)
- 4 (20 ILCS 105/8.01 rep.)
- 5 (20 ILCS 105/8.02 rep.)
- 6 (20 ILCS 105/8.03 rep.)

7 Section 15. The Illinois Act on the Aging is amended by  
8 repealing Sections 3.04, 7.02, 8, 8.01, 8.02, and 8.03.

9 Section 20. The Department of Central Management  
10 Services Law of the Civil Administrative Code of Illinois is  
11 amended by changing Section 405-500 as follows:

12 (20 ILCS 405/405-500)

13 Sec. 405-500. Matters relating to the Office of the  
14 Lieutenant Governor.

15 (a) It is the purpose of this Section to provide for the  
16 administration of the affairs of the Office of the Lieutenant  
17 Governor during a period when the Office of Lieutenant  
18 Governor is vacant.

19 It is the intent of the General Assembly that all powers  
20 and duties of the Lieutenant Governor assumed and exercised  
21 by the Director of Central Management Services, the  
22 Department of Central Management Services, or another  
23 Director, State employee, or State agency designated by the  
24 Governor under the provisions of Public Act 90-609 be  
25 reassumed by the Lieutenant Governor on January 11, 1999.

26 (b) Until January 11, 1999, while the office of  
27 Lieutenant Governor is vacant, the Director of Central  
28 Management Services shall assume and exercise the powers and  
29 duties given to the Lieutenant Governor under the Illinois  
30 Commission on Community Service Act, Section 46.53 of the  
31 Civil Administrative Code of Illinois (renumbered; now  
32 Section 605-75 of the Department of Commerce and Community

1 Affairs Law, 20 ILCS 605/605-75) (relating to the Keep  
2 Illinois Beautiful program), Section 12-1 of the State  
3 Finance Act, and the Gifts and Grants to Government Act, ~~and~~  
4 ~~the Illinois Distance Learning Foundation Act.~~

5 The Director of Central Management Services shall not  
6 assume or exercise the powers and duties given to the  
7 Lieutenant Governor under the Rural Bond Bank Act.

8 (c) Until January 11, 1999, while the office of  
9 Lieutenant Governor is vacant, the Department of Central  
10 Management Services shall assume and exercise the powers and  
11 duties given to the Office of the Lieutenant Governor under  
12 Section 2-3.112 of the School Code, the Illinois River  
13 Watershed Restoration Act, the Illinois Wildlife Prairie Park  
14 Act, and Section 12-1 of the State Finance Act, ~~and~~ ~~the~~  
15 ~~Illinois Distance Learning Foundation Act.~~

16 (c-5) Notwithstanding subsection (c): (i) the Governor  
17 shall appoint an interim member, who shall be interim  
18 chairperson, of the Illinois River Coordinating Council while  
19 the office of the Lieutenant Governor is vacant until January  
20 11, 1999 and (ii) the Governor shall appoint an interim  
21 member, who shall be interim chairperson, of the Illinois  
22 Wildlife Prairie Park Commission while the office of the  
23 Lieutenant Governor is vacant until January 11, 1999.

24 (d) Until January 11, 1999, while the office of  
25 Lieutenant Governor is vacant, the Department of Central  
26 Management Services may assume and exercise the powers and  
27 duties that have been delegated to the Lieutenant Governor by  
28 the Governor.

29 (e) Until January 11, 1999, while the office of  
30 Lieutenant Governor is vacant, appropriations to the Office  
31 of the Lieutenant Governor may be obligated and expended by  
32 the Department of Central Management Services, with the  
33 authorization of the Director of Central Management Services,  
34 for the purposes specified in those appropriations. These



1 obligations and expenditures shall continue to be accounted  
2 for as obligations and expenditures of the Office of the  
3 Lieutenant Governor.

4 (f) Until January 11, 1999, while the office of  
5 Lieutenant Governor is vacant, all employees of the Office of  
6 the Lieutenant Governor who are needed to carry out the  
7 responsibilities of the Office are temporarily reassigned to  
8 the Department of Central Management Services. This  
9 reassignment shall not be deemed to constitute new employment  
10 or to change the terms or conditions of employment or the  
11 qualifications required of the employees, except that the  
12 reassigned employees shall be subject to supervision by the  
13 Department during the temporary reassignment period.

14 (g) Until January 11, 1999, while the office of  
15 Lieutenant Governor is vacant, the Department of Central  
16 Management Services shall temporarily assume and exercise the  
17 powers and duties of the Office of the Lieutenant Governor  
18 under contracts to which the Office of the Lieutenant  
19 Governor is a party. The assumption of rights and duties  
20 under this subsection shall not be deemed to change the terms  
21 or conditions of the contract.

22 The Department of Central Management Services may amend,  
23 extend, or terminate any such contract in accordance with its  
24 terms; may agree to terminate a contract at the request of  
25 the other party; and may, with the approval of the Governor,  
26 enter into new contracts on behalf of the Office of the  
27 Lieutenant Governor.

28 (h) The Governor may designate a State employee or  
29 director other than the Director of Central Management  
30 Services or a State agency other than the Department of  
31 Central Management Services to assume and exercise any  
32 particular power or duty that would otherwise be assumed and  
33 exercised by the Director of Central Management Services or  
34 the Department of Central Management Services under

1 subsection (b), (c), or (d) of this Section.

2 Except as provided below, if the Governor designates a  
3 State employee or director other than the Director of Central  
4 Management Services or a State agency other than the  
5 Department of Central Management Services, that person or  
6 agency shall be responsible for those duties set forth in  
7 subsections (e), (f), and (g) that directly relate to the  
8 designation of duties under subsections (b), (c), and (d).

9 If the Governor's designation relates to duties of the  
10 Commission on Community Service ~~or--the-Distance-Learning~~  
11 ~~Foundation~~, the Director of Central Management Services and  
12 the Department of Central Management Services may, if so  
13 directed by the Governor, continue to be responsible for  
14 those duties set forth in subsections (e), (f), and (g)  
15 relating to that designation.

16 (i) Business transacted under the authority of this  
17 Section by entities other than the Office of the Lieutenant  
18 Governor shall be transacted on behalf of and in the name of  
19 the Office of the Lieutenant Governor. Property of the  
20 Office of the Lieutenant Governor shall remain the property  
21 of that Office and may continue to be used by persons  
22 performing the functions of that Office during the vacancy  
23 period, except as otherwise directed by the Governor.

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

25 Section 25. The Illinois State Auditing Act is amended  
26 by changing Section 3-1 as follows:

27 (30 ILCS 5/3-1) (from Ch. 15, par. 303-1)

28 (Text of Section before amendment by P.A. 91-935)

29 Sec. 3-1. Jurisdiction of Auditor General. The Auditor  
30 General has jurisdiction over all State agencies to make post  
31 audits and investigations authorized by or under this Act or  
32 the Constitution.

1           The Auditor General has jurisdiction over local  
2 government agencies and private agencies only:

3           (a) to make such post audits authorized by or under  
4 this Act as are necessary and incidental to a post audit  
5 of a State agency or of a program administered by a State  
6 agency involving public funds of the State, but this  
7 jurisdiction does not include any authority to review  
8 local governmental agencies in the obligation, receipt,  
9 expenditure or use of public funds of the State that are  
10 granted without limitation or condition imposed by law,  
11 other than the general limitation that such funds be used  
12 for public purposes;

13           (b) to make investigations authorized by or under  
14 this Act or the Constitution; and

15           (c) to make audits of the records of local  
16 government agencies to verify actual costs of  
17 state-mandated programs when directed to do so by the  
18 Legislative Audit Commission at the request of the State  
19 Board of Appeals under the State Mandates Act.

20           In addition to the foregoing, the Auditor General may  
21 conduct an audit of the Metropolitan Pier and Exposition  
22 Authority, the Regional Transportation Authority, the  
23 Suburban Bus Division, the Commuter Rail Division and the  
24 Chicago Transit Authority and any other subsidized carrier  
25 when authorized by the Legislative Audit Commission. Such  
26 audit may be a financial, management or program audit, or any  
27 combination thereof.

28           The audit shall determine whether they are operating in  
29 accordance with all applicable laws and regulations. Subject  
30 to the limitations of this Act, the Legislative Audit  
31 Commission may by resolution specify additional  
32 determinations to be included in the scope of the audit.

33           The Auditor General may also conduct an audit, when  
34 authorized by the Legislative Audit Commission, of any

1 hospital which receives 10% or more of its gross revenues  
2 from payments from the State of Illinois, Department of  
3 Public Aid, Medical Assistance Program.

4 The Auditor General is authorized to conduct financial  
5 and compliance audits of the ~~Illinois--Distance--Learning~~  
6 ~~Foundation-and-the~~ Illinois Conservation Foundation.

7 As soon as practical after the effective date of this  
8 amendatory Act of 1995, the Auditor General shall conduct a  
9 compliance and management audit of the City of Chicago and  
10 any other entity with regard to the operation of Chicago  
11 O'Hare International Airport, Chicago Midway Airport and  
12 Merrill C. Meigs Field. The audit shall include, but not be  
13 limited to, an examination of revenues, expenses, and  
14 transfers of funds; purchasing and contracting policies and  
15 practices; staffing levels; and hiring practices and  
16 procedures. When completed, the audit required by this  
17 paragraph shall be distributed in accordance with Section  
18 3-14.

19 The Auditor General shall conduct a financial and  
20 compliance and program audit of distributions from the  
21 Municipal Economic Development Fund during the immediately  
22 preceding calendar year pursuant to Section 8-403.1 of the  
23 Public Utilities Act at no cost to the city, village, or  
24 incorporated town that received the distributions.

25 The Auditor General must conduct an audit of the Health  
26 Facilities Planning Board pursuant to Section 19.5 of the  
27 Illinois Health Facilities Planning Act.

28 (Source: P.A. 90-813, eff. 1-29-99; 91-782, eff. 6-9-00.)

29 (Text of Section after amendment by P.A. 91-935)

30 Sec. 3-1. Jurisdiction of Auditor General. The Auditor  
31 General has jurisdiction over all State agencies to make post  
32 audits and investigations authorized by or under this Act or  
33 the Constitution.

34 The Auditor General has jurisdiction over local

1 government agencies and private agencies only:

2 (a) to make such post audits authorized by or under  
3 this Act as are necessary and incidental to a post audit  
4 of a State agency or of a program administered by a State  
5 agency involving public funds of the State, but this  
6 jurisdiction does not include any authority to review  
7 local governmental agencies in the obligation, receipt,  
8 expenditure or use of public funds of the State that are  
9 granted without limitation or condition imposed by law,  
10 other than the general limitation that such funds be used  
11 for public purposes;

12 (b) to make investigations authorized by or under  
13 this Act or the Constitution; and

14 (c) to make audits of the records of local  
15 government agencies to verify actual costs of  
16 state-mandated programs when directed to do so by the  
17 Legislative Audit Commission at the request of the State  
18 Board of Appeals under the State Mandates Act.

19 In addition to the foregoing, the Auditor General may  
20 conduct an audit of the Metropolitan Pier and Exposition  
21 Authority, the Regional Transportation Authority, the  
22 Suburban Bus Division, the Commuter Rail Division and the  
23 Chicago Transit Authority and any other subsidized carrier  
24 when authorized by the Legislative Audit Commission. Such  
25 audit may be a financial, management or program audit, or any  
26 combination thereof.

27 The audit shall determine whether they are operating in  
28 accordance with all applicable laws and regulations. Subject  
29 to the limitations of this Act, the Legislative Audit  
30 Commission may by resolution specify additional  
31 determinations to be included in the scope of the audit.

32 In addition to the foregoing, the Auditor General must  
33 also conduct a financial audit of the Illinois Sports  
34 Facilities Authority's expenditures of public funds in

1 connection with the reconstruction, renovation, remodeling,  
2 extension, or improvement of all or substantially all of any  
3 existing "facility", as that term is defined in the Illinois  
4 Sports Facilities Authority Act.

5 The Auditor General may also conduct an audit, when  
6 authorized by the Legislative Audit Commission, of any  
7 hospital which receives 10% or more of its gross revenues  
8 from payments from the State of Illinois, Department of  
9 Public Aid, Medical Assistance Program.

10 The Auditor General is authorized to conduct financial  
11 and compliance audits of the ~~Illinois--Distance--Learning~~  
12 ~~Foundation-and-the~~ Illinois Conservation Foundation.

13 As soon as practical after the effective date of this  
14 amendatory Act of 1995, the Auditor General shall conduct a  
15 compliance and management audit of the City of Chicago and  
16 any other entity with regard to the operation of Chicago  
17 O'Hare International Airport, Chicago Midway Airport and  
18 Merrill C. Meigs Field. The audit shall include, but not be  
19 limited to, an examination of revenues, expenses, and  
20 transfers of funds; purchasing and contracting policies and  
21 practices; staffing levels; and hiring practices and  
22 procedures. When completed, the audit required by this  
23 paragraph shall be distributed in accordance with Section  
24 3-14.

25 The Auditor General shall conduct a financial and  
26 compliance and program audit of distributions from the  
27 Municipal Economic Development Fund during the immediately  
28 preceding calendar year pursuant to Section 8-403.1 of the  
29 Public Utilities Act at no cost to the city, village, or  
30 incorporated town that received the distributions.

31 The Auditor General must conduct an audit of the Health  
32 Facilities Planning Board pursuant to Section 19.5 of the  
33 Illinois Health Facilities Planning Act.

34 (Source: P.A. 90-813, eff. 1-29-99; 91-782, eff. 6-9-00;

1 91-935, eff. 6-1-01.)

2 (105 ILCS 40/Act rep.)

3 Section 30. The Illinois Distance Learning Foundation  
4 Act is repealed.

5 (70 ILCS 200/Art. 135 rep.)

6 Section 35. The Civic Center Code is amended by  
7 repealing Article 135.

8 (70 ILCS 2605/4b rep.)

9 Section 40. The Metropolitan Water Reclamation District  
10 Act is amended by repealing Section 4b.

11 (310 ILCS 45/Act rep.)

12 Section 45. The Illinois Mortgage Insurance Fund Act is  
13 repealed.

14 (420 ILCS 20/10.2 rep.)

15 Section 50. The Illinois Low-Level Radio-active Waste  
16 Management Act is amended by repealing Section 10.2.

17 Section 95. No acceleration or delay. Where this Act  
18 makes changes in a statute that is represented in this Act by  
19 text that is not yet or no longer in effect (for example, a  
20 Section represented by multiple versions), the use of that  
21 text does not accelerate or delay the taking effect of (i)  
22 the changes made by this Act or (ii) provisions derived from  
23 any other Public Act.

24 Section 99. Effective date. This Act takes effect July  
25 1, 2001.