



Rep. Angelo Saviano

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LRB096 17386 KTG 38697 a

1 AMENDMENT TO HOUSE BILL 5569

2 AMENDMENT NO. _____. Amend House Bill 5569 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Guardianship and Advocacy Act is amended by
5 changing Sections 4, 14, and 31 as follows:

6 (20 ILCS 3955/4) (from Ch. 91 1/2, par. 704)

7 Sec. 4. (a) The Commission shall consist of 11 members, one
8 of whom shall be a senior citizen age 60 or over, who shall be
9 appointed by the Governor, taking into account the requirements
10 of State and federal statutes, with the advice and consent of
11 the Senate.

12 All appointments shall be filed with the Secretary of State
13 by the appointing authority.

14 (b) The terms of the original members shall be 3 one year
15 terms, 3 two year terms, and 3 three year terms, all terms to
16 continue until a successor is appointed and qualified. The

1 length of the terms of the original members shall be drawn by
2 lot of the first meeting held by the Commission. The members
3 first appointed under this amendatory Act of 1984 shall serve
4 for a term of 3 years. Thereafter all terms shall be for 3
5 years, with each member serving no more than 2 consecutive
6 terms. Vacancies in the membership are to be filled in the same
7 manner as original appointments. Appointments to fill
8 vacancies occurring before the expiration of a term are for the
9 remainder of the unexpired term. A member of the Commission
10 shall serve for a term ending on June 30 and until his
11 successor is appointed and qualified or until the member
12 resigns and the resignation is filed with the Secretary of
13 State.

14 (c) The Commission shall annually elect a Chairman and any
15 other officers it deems necessary. The Commission shall meet at
16 least once every 3 months with the times and places of meetings
17 determined by the Chairman. Additional meetings may be called
18 by the Chairman upon written notice 7 days before the meeting
19 or by written petition of 5 members to the Chairman. A simple
20 majority of serving members shall constitute a quorum. ~~Six~~
21 ~~members of the Commission constitute a quorum.~~

22 (d) Members of the Commission are not entitled to
23 compensation but shall receive reimbursement for actual
24 expenses incurred in the performance of their duties.

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

1 (20 ILCS 3955/14) (from Ch. 91 1/2, par. 714)

2 Sec. 14. Each regional authority shall consist of the 9
3 members appointed by the Director, in accordance with this
4 Section. Each regional authority shall include insofar as
5 possible one professionally knowledgeable and broadly
6 experienced employee or officer of a provider of each of the
7 following services: mental health, developmental disabilities,
8 and vocational rehabilitation. No other employee or officer of
9 a service provider shall be appointed to a regional authority.
10 In making appointments, the Director shall strive to ensure
11 representation of minority groups and of eligible persons, and
12 shall give due consideration to recommendations of persons and
13 groups assisting eligible persons. The Director may remove for
14 incompetence, neglect of duty, or malfeasance in office any
15 member of a regional authority. All actions taken by the
16 Director to appoint or remove members shall be reported to the
17 Commission at the next scheduled Commission meeting.

18 Each regional authority shall annually elect a chairman and
19 any other officers it deems necessary. Members of the regional
20 authorities shall serve for a term of 3 years, except that the
21 terms of the first appointees shall be as follows: 3 members
22 serving for a 1 year term; 3 members serving for a 2 year term;
23 and 3 members serving for a 3 year term. Assignment of terms of
24 such first appointees shall be by lot. No member shall serve
25 for more than 2 consecutive 3 year terms. A simple majority of
26 serving members shall constitute a quorum. ~~Five members shall~~

1 ~~constitute a quorum.~~

2 Vacancies in the regional authorities shall be filled in
3 the same manner as original appointments.

4 Members of the regional authorities shall serve without
5 compensation but shall be reimbursed for actual expenses
6 incurred in the performance of their duties.

7 Each regional authority shall meet not less than once every
8 2 months. Meetings may also be held upon call of the Regional
9 Chairman or upon written request of a simple majority of
10 serving members ~~any 5 members~~ of the regional authority.

11 (Source: P.A. 96-271, eff. 1-1-10.)

12 (20 ILCS 3955/31) (from Ch. 91 1/2, par. 731)

13 Sec. 31. The State Guardian shall not be appointed if
14 another suitable person is available and willing to accept the
15 guardianship appointment or if the ward is ineligible for
16 Medicaid or Medicare services as determined by the federal
17 Centers for Medicare and Medicaid Services under the federal
18 Social Security Act. In all cases where a court appoints the
19 State Guardian, the court shall indicate in the order
20 appointing the guardian as a finding of fact that no other
21 suitable and willing person could be found to accept the
22 guardianship appointment. This requirement shall be waived
23 where the Office of State Guardian petitions for its own
24 appointment as guardian.

25 (Source: P.A. 89-396, eff. 8-20-95.)"