



Sen. Don Harmon

**Filed: 3/30/2009**

09600SB0149sam001

LRB096 06207 ASK 24775 a

1 AMENDMENT TO SENATE BILL 149

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 149 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Elevator Safety and Regulation Act is  
5 amended by changing Sections 25 and 125 as follows:

6 (225 ILCS 312/25)

7 (Section scheduled to be repealed on January 1, 2013)

8 Sec. 25. Elevator Safety Review Board.

9 (a) There is hereby created within the Office of the State  
10 Fire Marshal the Elevator Safety Review Board, consisting of 16  
11 ~~14~~ members. The Administrator shall appoint 3 members who shall  
12 be representatives of fire service communities. The Governor  
13 shall appoint the remaining 13 ~~11~~ members of the Board as  
14 follows: one representative from a major elevator  
15 manufacturing company or its authorized representative; one  
16 representative from an elevator servicing company; one

1 representative of the architectural design profession; one  
2 representative of the general public; one representative of an  
3 advocacy group for people with physical disabilities; one  
4 representative of an advocacy group for senior citizens ~~the~~  
5 ~~senior citizen~~ population; one representative of a  
6 municipality in this State with a population under 25,000; one  
7 representative of a municipality in this State with a  
8 population of 25,000 or over but under 50,000; one  
9 representative of a municipality in this State with a  
10 population of 50,000 or over but under 500,000 one  
11 representative of an advocacy group for condominium owners; one  
12 representative of institute of higher education that operates  
13 an in-house elevator maintenance program; one representative  
14 of a building owner or manager; and one representative of labor  
15 involved in the installation, maintenance, and repair of  
16 elevators.

17 (b) The members constituting the Board shall be appointed  
18 for initial terms as follows:

19 (1) Of the members appointed by the Administrator, 2  
20 shall serve for a term of 2 years, and one for a term of 4  
21 years.

22 (2) Of the members appointed by the Governor, 2 shall  
23 serve for a term of one year, 2 for terms of 2 years, 2 for  
24 terms of 3 years, and 4 for terms of 4 years. The  
25 representative of the advocacy group for senior citizens  
26 ~~senior citizen population~~ shall serve an initial term of 4

1        years. The representative of an advocacy group for  
2        condominium owners and the representative of institute of  
3        higher education that operates an in-house elevator  
4        maintenance program shall both serve an initial term of 4  
5        years.

6        At the expiration of their initial terms of office, the  
7        members or their successors shall be appointed for terms of 4  
8        years each. Upon the expiration of a member's term of office,  
9        the officer who appointed that member shall reappoint that  
10       member or appoint a successor who is a representative of the  
11       same interests with which his or her predecessor was  
12       identified. The Administrator and the Governor may at any time  
13       remove any of their respective appointees for inefficiency or  
14       neglect of duty in office. Upon the death or incapacity of a  
15       member, the officer who appointed that member shall fill the  
16       vacancy for the remainder of the vacated term by appointing a  
17       member who is a representative of the same interests with which  
18       his or her predecessor was identified. The members shall serve  
19       without salary, but shall receive from the State expenses  
20       necessarily incurred by them in performance of their duties.  
21       The Governor shall appoint one of the members to serve as  
22       chairperson. The chairperson shall be the deciding vote in the  
23       event of a tie vote.

24       (Source: P.A. 94-698, eff. 11-22-05; 95-573, eff. 8-31-07.)

1 (Section scheduled to be repealed on January 1, 2013)

2 Sec. 125. State law, code, or regulation; rule compliance.  
3 Whenever a provision in this Act is found to be inconsistent  
4 with any provision of another applicable State law, code, or  
5 rule, the State law shall prevail. This Act, unless  
6 specifically stated otherwise, is not intended to establish  
7 more stringent or more restrictive standards than standards set  
8 forth in other applicable State laws.

9 Any rule adopted under this Act that requires compliance  
10 specifically beginning in 2009 and any rule adopted under this  
11 Act that requires compliance specifically beginning in 2011  
12 shall be deemed to require compliance beginning in 2013 instead  
13 of 2009 or 2011.

14 Notwithstanding anything else in this Section, compliance  
15 with upgrade code requirements, pursuant to ASME A17.3, that  
16 relate to door restrictors, emergency battery pack lights and  
17 alarms, phase reversal protection, emergency phones, reopening  
18 devices, pit ladders, pit stop switches, or pit lights and  
19 ground fault circuit interrupters shall not be required to be  
20 completed prior to January 1, 2013. Notwithstanding anything  
21 else in this Section, compliance with upgrade code  
22 requirements, pursuant to ASME A17.3, that relate to fire  
23 service recall, cylinder replacement, car safeties, or plunger  
24 grippers shall not be required to be completed prior to January  
25 1, 2018.

26 (Source: P.A. 95-767, eff. 7-29-08.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".