



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3604

Introduced 2/11/2010, by Sen. Michael W. Frerichs

SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-525

was 20 ILCS 5/6.01

Amends the Civil Administrative Code of Illinois. Requires the Governor's appointees to the Advisory Board of Livestock Commissioners to, among other things, be interested in the well-being of domestic animals and poultry. Provides that the Governor's appointees to the Board shall serve for a term of 5 years. Requires the Illinois Department of Agriculture's rules pertaining to the well-being of domestic animals and poultry to be submitted to the Board for its approval. Requires the Director of Agriculture to call semiannual meetings of the Board and authorizes the Director to call additional meetings. Removes a provision that exempts the Department from seeking the Board's certification before adopting certain rules. Prohibits the representative of an ex-officio member from exercising the voting privileges of that member in his or her absence. Also makes technical changes. Effective immediately.

LRB096 17623 JDS 32981 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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 5-525 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 consist
10 of 25 persons. The Board shall consist of the administrator of
11 animal disease programs, the Dean of the College of
12 Agricultural, Consumer, and Environmental Sciences ~~Agriculture~~
13 of the University of Illinois, the Dean of the College of
14 Veterinary Medicine of the University of Illinois, and
15 commencing on January 1, 1990, the Deans or Chairmen of the
16 Colleges or Departments of Agriculture of Illinois State
17 University, Southern Illinois University, and Western Illinois
18 University in that order who shall each serve for 1 year terms,
19 provided that commencing on January 1, 1993, such terms shall
20 be for 2 years in the same order, the Director of Public
21 Health, the Director of Natural Resources, the Chairperson
22 ~~chairman~~ of the Agriculture and ~~and~~ Conservation ~~and~~ ~~Energy~~
23 Committee of the Senate, and the Chairperson ~~chairman~~ of the

1 ~~Committee on~~ Agriculture & Conservation Committee of the House
2 of Representatives, who shall be ex-officio ~~be~~ members of the
3 Board, and 17 additional persons, appointed by the Governor to
4 serve at the Governor's pleasure, who are interested in the
5 well-being of domestic animals and poultry and in the
6 prevention, elimination, and control of diseases affecting
7 them ~~of domestic animals and poultry who shall be appointed by~~
8 ~~the Governor to serve at the Governor's pleasure. An appointed~~
9 ~~member's office becomes vacant upon the member's absence from 3~~
10 ~~consecutive meetings.~~ Of the 17 additional persons, one shall
11 be a representative of breeders of beef cattle, one shall be a
12 representative of breeders of dairy cattle, one shall be a
13 representative of breeders of dual purpose cattle, one shall be
14 a representative of breeders of swine, one shall be a
15 representative of poultry breeders, one shall be a
16 representative of sheep breeders, one shall be a veterinarian
17 licensed in this State, one shall be a representative of
18 general or diversified farming, one shall be a representative
19 of deer or elk breeders, one shall be a representative of
20 livestock auction markets, one shall be a representative of
21 cattle feeders, one shall be a representative of pork
22 producers, one shall be a representative of the State licensed
23 meat packers, one shall be a representative of canine breeders,
24 one shall be a representative of equine breeders, one shall be
25 a representative of the Illinois licensed renderers, and one
26 shall be a representative of livestock dealers. An appointed

1 member's office becomes vacant upon the member's absence from 3
2 consecutive meetings. Appointments made by the Governor after
3 the effective date of this amendatory Act of the 96th General
4 Assembly shall be for a term of 5 years. The members of the
5 Board shall receive no compensation but shall be reimbursed for
6 expenses necessarily incurred in the performance of their
7 duties. In the appointment of the Advisory Board of Livestock
8 Commissioners, the Governor shall consult with representative
9 persons and recognized organizations in the respective fields
10 concerning the appointments.

11 Rules and regulations of the Department of Agriculture
12 pertaining to the well-being of domestic animals and poultry
13 and the prevention, elimination, and control of diseases
14 affecting them ~~of domestic animals and poultry~~ shall be
15 submitted to the Advisory Board of Livestock Commissioners for
16 approval at its duly called meeting. The chairperson ~~chairman~~
17 of the Board shall certify the official minutes of the Board's
18 action and shall file the certified minutes with the Department
19 of Agriculture within 30 days after the proposed rules and
20 regulations are submitted and before they are promulgated and
21 made effective. ~~If the Board fails to take action within 30~~
22 ~~days this limitation shall not apply and the rules and~~
23 ~~regulations may be promulgated and made effective.~~ In the event
24 it is deemed desirable, the Board may hold hearings upon the
25 rules and regulations or proposed revisions. The Board members
26 shall be familiar with the Acts relating to the well-being of

1 domestic animals and poultry and to the prevention,
2 elimination, and control of diseases affecting them ~~among~~
3 ~~domestic animals and poultry~~. The Department shall, upon the
4 request of a Board member, advise the Board concerning the
5 administration of the respective Acts.

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

1 transactions of the Board. The Board, by oral roll call, may
2 require an official court reporter to record the minutes of the
3 meetings.

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.