



Rep. Pam Roth

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LRB097 17114 CEL 68923 a

1 AMENDMENT TO SENATE BILL 2882

2 AMENDMENT NO. _____. Amend Senate Bill 2882 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by changing Section 805-40 as follows:

7 (20 ILCS 805/805-40) (was 20 ILCS 805/63a41)

8 Sec. 805-40. Adopt-A-Park program. The Department shall
9 ~~may~~ establish and maintain Adopt-A-Park programs with
10 individual or group volunteers, if requested by an individual
11 or group volunteers, in an effort to reduce and remove litter
12 from parks and park lands and to provide other services. The
13 Department shall retain the ability to approve or deny an
14 individual or group volunteer's request; however, the
15 Department must state the reason for the request denial. These
16 programs shall include but not be limited to the following:

1 (1) Providing and coordinating services by volunteers
2 to reduce the amount of litter, including providing trash
3 bags and trash bag pickup and, in designated areas where
4 volunteers may be in close proximity to moving vehicles.
5 Individuals or volunteers must bring their own, providing
6 safety briefings and reflective safety gear.

7 (2) The Department shall provide a certificate of
8 appreciation to individual or group volunteers as
9 recognition of their Adopt-A-Park efforts at a particular
10 Department site. Providing and installing signs
11 identifying those volunteers adopting particular parks and
12 park lands.

13 (3) Volunteer services shall not include work
14 historically performed by Department employees, including
15 services that result in a reduction of hours or
16 compensation or that may be performed by an employee on
17 layoff; nor shall volunteer services be inconsistent with
18 the terms of a collective bargaining agreement.

19 The State and the Department, its directors, employees, and
20 agents shall not be liable for any damages or injury suffered
21 by any person resulting from his or her participation in the
22 program or from the actions or activities of the volunteers,
23 except in cases of willful and wanton misconduct. Any group and
24 its individual members who wish to volunteer or any individual
25 who wishes to volunteer is required to execute a general
26 release and hold harmless agreement before beginning any

1 volunteer activity or work. An officer, director, or other
2 representative of any group shall also be required to execute a
3 general release and hold harmless on behalf of a group. The
4 agreement shall be prepared and provided by the Department.

5 By engaging in volunteer activities under this Act,
6 volunteers fully acknowledge and understand that there shall be
7 neither any (1) promise or expectation of compensation of any
8 type, including benefits, nor (2) creation of an
9 employer-employee relationship. The Prevailing Wage Act and
10 the administrative rules adopted thereunder, 56 Ill. Adm. Code
11 100, shall not apply to any Department project or job in which
12 volunteers are utilized under the Adopt-A-Park program.

13 (Source: P.A. 90-14, eff. 7-1-97; 91-239, eff. 1-1-00.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."