



Sen. Andy Manar

**Filed: 5/17/2013**

09800HB1272sam001

LRB098 07454 MLW 45374 a

1 AMENDMENT TO HOUSE BILL 1272

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1272 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Illinois State Fairgrounds Foundation Act.

6 Section 5. Creation of Illinois State Fairgrounds  
7 Foundation.

8 (a) The General Assembly authorizes the Department of  
9 Agriculture, in accordance with Section 10 of the State Agency  
10 Entity Creation Act, to create the Illinois State Fairgrounds  
11 Foundation. Under this authority, the Department of  
12 Agriculture shall create the Illinois State Fairgrounds  
13 Foundation as a not-for-profit foundation. The Department  
14 shall file articles of incorporation as required under the  
15 General Not For Profit Corporation Act of 1986 to create the  
16 Foundation.

1 (b) The Foundation's Board of Directors shall be appointed  
2 as follows:

3 (1) 2 by the President of the Senate, 1 for a 2-year  
4 term and 1 for a 4-year term;

5 (2) 2 by the Minority Leader of the Senate, 1 for  
6 2-year term and 1 for a 4-year term;

7 (3) 2 by the Speaker of the House of Representatives, 1  
8 for a 2-year term and 1 for a 4-year term;

9 (4) 2 by the Minority Leader of the House of  
10 Representatives, 1 for a 2-year term and 1 for a 4-year  
11 term; and

12 (5) 4 by the Governor, 2 for a 2-year term each and 2  
13 for a 4-year term each.

14 (c) At the expiration of the 2-year terms and the 4-year  
15 terms, each successive appointment shall be for a 4-year term.  
16 Vacancies shall be filled by the official who made the prior  
17 appointment. The Director of Agriculture shall chair the Board  
18 of Directors of the Foundation. No member of the Board of  
19 Directors may receive compensation for his or her services to  
20 the Foundation.

21 Section 10. Foundation purposes. The purposes of the  
22 Foundation are: to promote, support, assist, sustain, and  
23 encourage the charitable, educational, scientific, and  
24 agricultural programs, projects, and policies of the  
25 Department of Agriculture and the Illinois State Fair; to

1 solicit and accept aid or contributions consistent with the  
2 stated intent of the donor and the goals of the Foundation,  
3 including, but not limited to, capital funding for the  
4 improvement, maintenance, or construction of buildings and  
5 facilities at the Illinois State Fairgrounds located in  
6 Springfield and DuQuoin; to accept grants for the acquisition,  
7 construction, improvement, and development of potential  
8 Foundation projects; to solicit and generate private funding  
9 and donations that assist in enhancing and preserving Illinois'  
10 agricultural heritage and State Fairgrounds, both in  
11 Springfield and DuQuoin, and the infrastructure, including  
12 roads, buildings, permanent exhibits, grounds, and facilities  
13 at both Fairgrounds; and to engage generally in other lawful  
14 endeavors consistent with the foregoing purposes. The  
15 foundation shall operate within the provisions of the General  
16 Not For Profit Corporation Act of 1986.

17 Section 15. Organization, powers, and duties of the  
18 Foundation.

19 (a) As soon as practical after the Foundation is created,  
20 the Board of Directors shall meet, organize, and designate, by  
21 majority vote, a treasurer, secretary, and any additional  
22 officers that may be needed to carry out the activities of the  
23 Foundation, and shall adopt bylaws of the Foundation. The  
24 Department of Agriculture may adopt other rules deemed  
25 necessary to govern Foundation procedures.

1           (b) The Foundation may accept gifts or grants from the  
2 federal government, its agencies or officers, or from any  
3 person, firm, or corporation, and may expend receipts on  
4 activities that it considers suitable to the performance of its  
5 duties under this Act and consistent with any requirement of  
6 the grant, gift, or bequest. Funds collected by the Foundation  
7 shall be considered private funds, except those received from  
8 public entities, and shall be held in an appropriate account  
9 outside of the State Treasury. Private funds collected by the  
10 Foundation are not subject to the Public Funds Investment Act.  
11 Foundation procurement is exempt from the Illinois Procurement  
12 Code when only private funds are used for procurement  
13 expenditures. The treasurer of the Foundation shall be  
14 custodian of all Foundation funds. The Foundation's accounts  
15 and books shall be set up and maintained in a manner approved  
16 by the Auditor General; and the Foundation and its officers  
17 shall be responsible for the approval of recording of receipts,  
18 approval of payments, and the proper filing of required  
19 reports. The Foundation may be assisted in carrying out its  
20 functions by personnel of the Department of Agriculture. The  
21 Department shall provide reasonable assistance to the  
22 Foundation to achieve the purposes of the Foundation. The  
23 Foundation shall cooperate fully with the boards, commissions,  
24 agencies, departments, and institutions of the State. The funds  
25 held and made available by the Illinois State Fairgrounds  
26 Foundation shall be subject to financial and compliance audits

1 by the Auditor General in compliance with the Illinois State  
2 Auditing Act.

3 (c) The Foundation shall not have any power of eminent  
4 domain.

5 Section 20. Disclosure to donors of exemption from Public  
6 Funds Investment Act. The Foundation must provide a written  
7 notice to any entity providing a gift, grant, or bequest to the  
8 Foundation that the Foundation is not subject to the provisions  
9 of the Public Funds Investment Act which places limitations on  
10 the types of securities in which a public agency may invest  
11 public funds.

12 Section 25. The State Commemorative Dates Act is amended by  
13 adding Section 175 as follows:

14 (5 ILCS 490/175 new)

15 Sec. 175. Eat Local, Buy Illinois Products Day. The first  
16 Saturday of each month is designated as Eat Local, Buy Illinois  
17 Products Day to promote local food initiatives, Illinois  
18 agribusiness, and to encourage residents to re-invest in the  
19 local economy. The Department of Agriculture's Illinois  
20 Product Logo Program shall assist in increasing awareness and  
21 sales of Illinois food and agribusiness products.

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.".