

AN ACT concerning natural resources.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Civil Administrative Code of Illinois is amended by changing Section 5-560 as follows:

(20 ILCS 5/5-560) (was 20 ILCS 5/6.08)

Sec. 5-560. In the Department of Natural Resources. An Advisory Board to the Department of Natural Resources, composed of 13 persons, ~~one of whom shall be a senior citizen age 60 or over.~~ Of the 13 appointed members, at least 2 shall represent hunting and fishing interests, 2 shall represent natural areas protection interests, 2 shall represent urban conservation interests, one shall represent parks and recreation interests, one shall represent outdoor powersport usage interests, one shall be a member of a statewide association of trappers and represent trapping interests, one shall represent forestry interests, and the remaining 3 shall be residents of this State. The Governor shall appoint a chair who will preside over the Board's meetings.

~~In the appointment of the initial members the Governor shall designate 3 persons to serve for 2 years, 3 for 4 years, and 3 for 6 years from the third Monday in January of the odd-numbered year in which the term commences. The members~~

~~first appointed under this amendatory Act of 1984 shall serve a term of 6 years commencing on the third Monday in January, 1985. The members first appointed under this amendatory Act of the 91st General Assembly shall each be appointed to a term of office to expire on the third Monday in January of 2006. All subsequent appointments shall be for terms of 6 years.~~

Notwithstanding any provision of law to the contrary, the term of office of each member of the Board is abolished on August 1, 2022. Incumbent members holding a position on the Board on August 1, 2022 may be reappointed. In making appointments to fill the vacancies created on August 1, 2022, the Governor shall designate 4 members to serve until the third Monday of January, 2024, 4 members to serve until the third Monday of January, 2025, and 5 members to serve until the third Monday of January, 2026. All newly appointed members shall serve until their successors are appointed and qualified. Their successors shall be appointed to serve for 3-year terms expiring on the 3rd anniversary of their appointment or until their successors are appointed and qualified. Each subsequent appointment shall be for a term of 3 years.

The Advisory Board shall formulate and present long range recommendations to ~~policies for guidance of~~ the Department in: the protection and conservation of renewable resources of the State ~~of Illinois~~; the development of areas and facilities for outdoor recreation; the proper restoration and management of

forest and woodland resources for forest products and ecosystem services ~~prevention of timber destruction and other forest growth by fire or otherwise;~~ the reforestation of suitable lands of this State; the extension of cooperative support to other agencies of this State in preventing ~~and guarding against~~ the pollution of streams and lakes within the State; the management of fish and the wildlife resources and the habitats upon which they depend, including species of greatest conservation need ~~migratory fowl, and fisheries resources, including the construction of new water impoundment areas;~~ the development of an adequate research program for fish, wildlife game, and forestry, and conservation of the State's biodiversity through cooperation with and support of the Illinois Natural History Survey and the State University system; the development and dissemination of information and educational resources that promote a conservation-literate population; the development of innovative partnerships that assist the Department in accomplishing its broad mission; the Department's grant programs; and the development of law and policy ~~expressing of policies for proper dissemination of and enforcement of the various laws~~ pertinent to the conservation programs ~~program~~ of Illinois and the nation.

~~The Board shall make a study of the personnel structure of the Department and shall, from time to time, make recommendations to the Governor and the Director of Natural Resources for a merit system of employment and for the~~

~~revision of the position classification to the extent which Civil Service classification should apply in departmental positions.~~

The Board may advise on ~~shall make studies of~~ the land acquisition needs of the Department and make recommendations from time to time as to necessary acquisition of lands for fish fisheries, wildlife game, forestry, conservation of natural areas, and recreational development.

The Board may recommend to the Director of Natural Resources any reductions or increases of seasons and bag or possession limits or the closure of any season when research and inventory data indicate the need for those changes.

Board members shall be reimbursed for any necessary travel expenses incurred in the performance of their duties.

(Source: P.A. 90-435, eff. 1-1-98; 91-239, eff. 1-1-00; 91-798, eff. 7-9-00.)

Section 10. The Wildlife Code is amended by changing Section 1.3 as follows:

(520 ILCS 5/1.3)

Sec. 1.3. The Department shall have the authority to manage wildlife and regulate the taking of wildlife for the purposes of providing public recreation and controlling wildlife populations. The seasons during which wildlife may be taken, the methods for taking wildlife, the daily bag limits,

and the possession limits shall be established by the Department through administrative rule, but the Department may not provide for a longer season, a larger daily bag limit, or a larger possession limit than is provided in this Code.

~~The Natural Resources Advisory Board may also recommend to the Director of Natural Resources any reductions or increases of seasons and bag or possession limits or the closure of any season when research and inventory data indicate the need for such changes.~~

The Department is authorized to establish seasons for the taking of migratory birds within the dates established annually by Proclamation of the Secretary, United States Department of the Interior, known as the "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20 et seq.). When the biological balance of any species is affected, the Director may ~~with the approval of the Conservation Advisory Board,~~ by administrative rule, lengthen, shorten or close the season during which waterfowl may be taken within the federal limitations prescribed. If the Department does not adopt an administrative rule establishing a season, then the season shall be as set forth in the current "Rules and Regulations for Migratory Bird Hunting". The Department shall advise the public by reasonable means of the dates of the various seasons.

The Department may utilize the services of the staff of the Illinois Natural History Survey of the University of

Illinois for making investigations as to the population status of the various species of wildlife.

Employees or agents of any state, federal, or municipal government or body when engaged in investigational work and law enforcement, may with prior approval of the Director, be exempted from the provisions of this Act.

(Source: P.A. 98-346, eff. 8-14-13.)

Section 15. The Illinois Open Land Trust Act is amended by changing Sections 15 and 25 as follows:

(525 ILCS 33/15)

Sec. 15. Powers and duties. The Department of Natural Resources has the following powers and duties:

(a) To develop and administer the Illinois Open Land Trust program.

(b) To acquire real property, including, but not limited to, open space and natural areas for conservation and recreation purposes. The lands shall be held in (i) fee simple title or (ii) conservation easements for natural areas, provided that these mechanisms are all voluntary on the part of the landowners and do not involve the use of eminent domain.

(c) To make grants to units of local government under Section 25 of this Act ~~in consultation with the Natural Resources Advisory Board.~~

(d) To make loans to units of local government under

Section 30 of this Act ~~in consultation with the Natural Resources Advisory Board.~~

(e) To promulgate any rules, regulations, guidelines, and directives necessary to implement the purposes of this Act.

(f) To execute contracts, grant or loan agreements, memoranda of understanding, intergovernmental cooperation agreements, and any other agreements with other State agencies and units of local government that are necessary to implement this Act.

(g) To execute contracts, memoranda of understanding, and any other agreements with not-for-profit corporations that are consistent with the purpose of this Act.

(h) To accept grants, loans, or appropriations from the federal government or the State, or any agency or instrumentality thereof, for the purposes of the Department under this Act, including to make loans of any funds and to enter into any agreement with the federal government or the State, or any agency or instrumentality thereof, in relationship to the grants, loans, or appropriations.

(i) To establish any interest rates, terms of repayment, and other terms and conditions regarding loans made pursuant to this Act that the Department deems necessary or appropriate to protect the public interest and carry out the purposes of this Act.

(j) To establish application, eligibility, selection, notification, contract, and other procedures, rules, or

regulations deemed necessary and appropriate to carry out the provisions of this Act.

(k) To fix, determine, charge, and collect any premiums, fees, charges, costs, and expenses, including, without limitation, any application fees, commitment fees, program fees, or financing charges from any person in connection with its activities under this Act.

(l) To report annually to the Governor and the General Assembly on the progress made in implementing this Act and on the status of all real property acquired pursuant to the Act.

(Source: P.A. 91-220, eff. 7-21-99.)

(525 ILCS 33/25)

Sec. 25. Grant program. From appropriations for these purposes, the Department may make grants to units of local government as financial assistance for the acquisition of open space and natural lands if the Department determines that the property interests are sufficient to carry out the purposes of this Act.

The Department shall adopt rules concerning the selection or grant recipients, amount of grant awards, and eligibility requirements. The rules must include the following additional requirements:

(1) No more than \$2,000,000 may be awarded to any grantee for a single project for any fiscal year.

(2) Any grant under this Act must be conditioned upon



the grantee providing a required match as defined by rule.

(3) Funds may be used only to purchase interests in land from willing sellers and may not involve the use of eminent domain.

(4) (Blank). ~~The Department shall provide for a public meeting to be conducted by the Natural Resources Advisory Board prior to grant approval.~~

(5) All real property acquired with grant funds must be accessible to the public for conservation and recreation purposes, unless the Department determines that public accessibility would be detrimental to the real property or any associated natural resources.

(6) No real property acquired with grant funds may be sold, leased, exchanged, or otherwise encumbered, unless it is used to qualify for a federal program or, subject to Department approval, transferred to the federal government, the State, or a unit of local government for conservation and recreation purposes consistent with this Act.

(7) All grantees must agree to convey to the State at no charge a conservation easement on the lands to be acquired using the grant funds.

(8) Grantees must agree to manage lands in accordance with the terms of the grant. Any changes in management must be approved by the Department before implementation.

(9) The Department is authorized to promulgate, by

Public Act 102-1114

SB3908 Enrolled

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rule, any other reasonable requirements determined  
necessary to effectively implement this Act.

(Source: P.A. 91-220, eff. 7-21-99.)