



Rep. Michelle Mussman

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1 AMENDMENT TO HOUSE BILL 255

2 AMENDMENT NO. _____. Amend House Bill 255 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Youth
5 and Young Adult Conservation Education Act.

6 Section 5. Declaration of intent. The General Assembly
7 finds that youth, representing all segments of society,
8 benefit from education and employment in the healthful outdoor
9 atmosphere of the State's park systems, recreational
10 facilities, and other public land and water areas and, through
11 those education and employment opportunities, will develop,
12 enhance, and maintain the natural resources of the State of
13 Illinois while gaining an understanding and appreciation of
14 the State's environment and heritage. The General Assembly,
15 therefore, creates this Act to establish the Youth and Young
16 Adult Conservation and Education Program to provide education

1 and employment opportunities for the youth and young adults of
2 this State to further the development and maintenance of the
3 natural resources by Illinois' youth and, in so doing, to
4 prepare them for the responsibility of maintaining and
5 managing these resources.

6 Section 10. Definitions.

7 As used in this Act:

8 "Department" means the Department of Natural Resources.

9 "Director" means the Director of Natural Resources.

10 Section 15. Cooperation. The Department of Natural
11 Resources shall have the full cooperation of the Illinois
12 State Board of Education, the Department of Commerce and
13 Economic Opportunity, the Illinois State Job Coordinating
14 Council created by the Federal Job Training Partnership Act
15 (Public Law 97-300), and the Department of Employment Security
16 in carrying out the purposes of this Act.

17 Section 20. Funding. Funding for this Act shall be from
18 any State or federal funds or grants or other funding so
19 received by the Department and any matching funds required by
20 the Department from local sponsors that choose to participate
21 in the Illinois Youth and Young Adult Conservation and
22 Education Program.

1 Section 25. Youth and Young Adult Conservation and
2 Education Program.

3 (a) The Youth and Young Adult Conservation and Education
4 Program shall be limited to residents of this State who at the
5 time of enrollment are 15 through 25 years of age.

6 (b) The Director shall designate suitable projects and
7 curriculum in which participants in the program shall
8 participate.

9 Projects and curriculum so designated by the Director
10 shall be for the purpose of any one or more of the following:

11 (1) development, enhancement, and maintenance of the
12 natural resources of the State of Illinois;

13 (2) environmental stewardship and civic
14 responsibility; or

15 (3) enhancement of public lands owned or leased by the
16 Department or developing and enhancing projects or
17 initiatives undertaken in whole or part by the Department.

18 Such projects and curriculum shall include improving the
19 habitat of fauna and flora; improving use of conservation or
20 recreation facilities and lands by the public; improving water
21 quality; and any other project deemed by the Department to
22 improve the environmental, economic and recreational quality
23 of the State's natural resources.

24 All projects designated for activity by the Director shall
25 be within a reasonable commuting time for each enrollee. To
26 the extent possible, the Director shall designate areas where

1 a pool of enrollees may work. In no circumstance shall
2 enrollees be required to spend more than 1 1/2 hours of
3 commuting time to a project or a designated area; provided, an
4 enrollee may agree to spend more than 1 1/2 hours of commuting
5 time to a project or a designated area.

6 (c) When applicable, participants shall receive at least
7 the standard minimum wage as set by the State of Illinois and
8 shall work normal working hours as determined by the
9 Department. The enrollees shall not be classified as employees
10 of the State for purposes of contributions to the State
11 Employees' Retirement System of Illinois or any other public
12 employment retirement system of the State.

13 (d) The Department may enter into contracts,
14 intergovernmental agreements, grants, cooperative agreements,
15 memoranda of understanding, or other instruments as necessary
16 to implement the Youth and Young Adult Conservation Program.
17 The Illinois Procurement Code shall not apply to contracts
18 entered into for the purpose of fulfilling the purposes of
19 this Program with not-for-profit organizations that have a
20 documented commitment to addressing the barriers to employment
21 and education for minority youth and young adults, as
22 determined by the Department.

23 (e) The Department shall adopt administrative rules
24 pertaining to implementation and administration of the Youth
25 and Young Adult Conservation and Education Program.

1 Section 90. The Illinois Procurement Code is amended by
2 changing Section 1-10 as follows:

3 (30 ILCS 500/1-10)

4 Sec. 1-10. Application.

5 (a) This Code applies only to procurements for which
6 bidders, offerors, potential contractors, or contractors were
7 first solicited on or after July 1, 1998. This Code shall not
8 be construed to affect or impair any contract, or any
9 provision of a contract, entered into based on a solicitation
10 prior to the implementation date of this Code as described in
11 Article 99, including, but not limited to, any covenant
12 entered into with respect to any revenue bonds or similar
13 instruments. All procurements for which contracts are
14 solicited between the effective date of Articles 50 and 99 and
15 July 1, 1998 shall be substantially in accordance with this
16 Code and its intent.

17 (b) This Code shall apply regardless of the source of the
18 funds with which the contracts are paid, including federal
19 assistance moneys. This Code shall not apply to:

20 (1) Contracts between the State and its political
21 subdivisions or other governments, or between State
22 governmental bodies, except as specifically provided in
23 this Code.

24 (2) Grants, except for the filing requirements of
25 Section 20-80.

1 (3) Purchase of care, except as provided in Section
2 5-30.6 of the Illinois Public Aid Code and this Section.

3 (4) Hiring of an individual as an employee and not as
4 an independent contractor, whether pursuant to an
5 employment code or policy or by contract directly with
6 that individual.

7 (5) Collective bargaining contracts.

8 (6) Purchase of real estate, except that notice of
9 this type of contract with a value of more than \$25,000
10 must be published in the Procurement Bulletin within 10
11 calendar days after the deed is recorded in the county of
12 jurisdiction. The notice shall identify the real estate
13 purchased, the names of all parties to the contract, the
14 value of the contract, and the effective date of the
15 contract.

16 (7) Contracts necessary to prepare for anticipated
17 litigation, enforcement actions, or investigations,
18 provided that the chief legal counsel to the Governor
19 shall give his or her prior approval when the procuring
20 agency is one subject to the jurisdiction of the Governor,
21 and provided that the chief legal counsel of any other
22 procuring entity subject to this Code shall give his or
23 her prior approval when the procuring entity is not one
24 subject to the jurisdiction of the Governor.

25 (8) (Blank).

26 (9) Procurement expenditures by the Illinois

1 Conservation Foundation when only private funds are used.

2 (10) (Blank).

3 (11) Public-private agreements entered into according
4 to the procurement requirements of Section 20 of the
5 Public-Private Partnerships for Transportation Act and
6 design-build agreements entered into according to the
7 procurement requirements of Section 25 of the
8 Public-Private Partnerships for Transportation Act.

9 (12) (A) Contracts for legal, financial, and other
10 professional and artistic services entered into by the
11 Illinois Finance Authority in which the State of Illinois
12 is not obligated. Such contracts shall be awarded through
13 a competitive process authorized by the members of the
14 Illinois Finance Authority and are subject to Sections
15 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
16 as well as the final approval by the members of the
17 Illinois Finance Authority of the terms of the contract.

18 (B) Contracts for legal and financial services entered
19 into by the Illinois Housing Development Authority in
20 connection with the issuance of bonds in which the State
21 of Illinois is not obligated. Such contracts shall be
22 awarded through a competitive process authorized by the
23 members of the Illinois Housing Development Authority and
24 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
25 and 50-37 of this Code, as well as the final approval by
26 the members of the Illinois Housing Development Authority

1 of the terms of the contract.

2 (13) Contracts for services, commodities, and
3 equipment to support the delivery of timely forensic
4 science services in consultation with and subject to the
5 approval of the Chief Procurement Officer as provided in
6 subsection (d) of Section 5-4-3a of the Unified Code of
7 Corrections, except for the requirements of Sections
8 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
9 Code; however, the Chief Procurement Officer may, in
10 writing with justification, waive any certification
11 required under Article 50 of this Code. For any contracts
12 for services which are currently provided by members of a
13 collective bargaining agreement, the applicable terms of
14 the collective bargaining agreement concerning
15 subcontracting shall be followed.

16 On and after January 1, 2019, this paragraph (13),
17 except for this sentence, is inoperative.

18 (14) Contracts for participation expenditures required
19 by a domestic or international trade show or exhibition of
20 an exhibitor, member, or sponsor.

21 (15) Contracts with a railroad or utility that
22 requires the State to reimburse the railroad or utilities
23 for the relocation of utilities for construction or other
24 public purpose. Contracts included within this paragraph
25 (15) shall include, but not be limited to, those
26 associated with: relocations, crossings, installations,

1 and maintenance. For the purposes of this paragraph (15),
2 "railroad" means any form of non-highway ground
3 transportation that runs on rails or electromagnetic
4 guideways and "utility" means: (1) public utilities as
5 defined in Section 3-105 of the Public Utilities Act, (2)
6 telecommunications carriers as defined in Section 13-202
7 of the Public Utilities Act, (3) electric cooperatives as
8 defined in Section 3.4 of the Electric Supplier Act, (4)
9 telephone or telecommunications cooperatives as defined in
10 Section 13-212 of the Public Utilities Act, (5) rural
11 water or waste water systems with 10,000 connections or
12 less, (6) a holder as defined in Section 21-201 of the
13 Public Utilities Act, and (7) municipalities owning or
14 operating utility systems consisting of public utilities
15 as that term is defined in Section 11-117-2 of the
16 Illinois Municipal Code.

17 (16) Procurement expenditures necessary for the
18 Department of Public Health to provide the delivery of
19 timely newborn screening services in accordance with the
20 Newborn Metabolic Screening Act.

21 (17) Procurement expenditures necessary for the
22 Department of Agriculture, the Department of Financial and
23 Professional Regulation, the Department of Human Services,
24 and the Department of Public Health to implement the
25 Compassionate Use of Medical Cannabis Program and Opioid
26 Alternative Pilot Program requirements and ensure access

1 to medical cannabis for patients with debilitating medical
2 conditions in accordance with the Compassionate Use of
3 Medical Cannabis Program Act.

4 (18) This Code does not apply to any procurements
5 necessary for the Department of Agriculture, the
6 Department of Financial and Professional Regulation, the
7 Department of Human Services, the Department of Commerce
8 and Economic Opportunity, and the Department of Public
9 Health to implement the Cannabis Regulation and Tax Act if
10 the applicable agency has made a good faith determination
11 that it is necessary and appropriate for the expenditure
12 to fall within this exemption and if the process is
13 conducted in a manner substantially in accordance with the
14 requirements of Sections 20-160, 25-60, 30-22, 50-5,
15 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
16 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
17 Section 50-35, compliance applies only to contracts or
18 subcontracts over \$100,000. Notice of each contract
19 entered into under this paragraph (18) that is related to
20 the procurement of goods and services identified in
21 paragraph (1) through (9) of this subsection shall be
22 published in the Procurement Bulletin within 14 calendar
23 days after contract execution. The Chief Procurement
24 Officer shall prescribe the form and content of the
25 notice. Each agency shall provide the Chief Procurement
26 Officer, on a monthly basis, in the form and content

1 prescribed by the Chief Procurement Officer, a report of
2 contracts that are related to the procurement of goods and
3 services identified in this subsection. At a minimum, this
4 report shall include the name of the contractor, a
5 description of the supply or service provided, the total
6 amount of the contract, the term of the contract, and the
7 exception to this Code utilized. A copy of any or all of
8 these contracts shall be made available to the Chief
9 Procurement Officer immediately upon request. The Chief
10 Procurement Officer shall submit a report to the Governor
11 and General Assembly no later than November 1 of each year
12 that includes, at a minimum, an annual summary of the
13 monthly information reported to the Chief Procurement
14 Officer. This exemption becomes inoperative 5 years after
15 June 25, 2019 (the effective date of Public Act 101-27).

16 (19) Acquisition of modifications or adjustments,
17 limited to assistive technology devices and assistive
18 technology services, adaptive equipment, repairs, and
19 replacement parts to provide reasonable accommodations (i)
20 that enable a qualified applicant with a disability to
21 complete the job application process and be considered for
22 the position such qualified applicant desires, (ii) that
23 modify or adjust the work environment to enable a
24 qualified current employee with a disability to perform
25 the essential functions of the position held by that
26 employee, (iii) to enable a qualified current employee

1 with a disability to enjoy equal benefits and privileges
2 of employment as are enjoyed by other similarly situated
3 employees without disabilities, and (iv) that allow a
4 customer, client, claimant, or member of the public
5 seeking State services full use and enjoyment of and
6 access to its programs, services, or benefits.

7 For purposes of this paragraph (19):

8 "Assistive technology devices" means any item, piece
9 of equipment, or product system, whether acquired
10 commercially off the shelf, modified, or customized, that
11 is used to increase, maintain, or improve functional
12 capabilities of individuals with disabilities.

13 "Assistive technology services" means any service that
14 directly assists an individual with a disability in
15 selection, acquisition, or use of an assistive technology
16 device.

17 "Qualified" has the same meaning and use as provided
18 under the federal Americans with Disabilities Act when
19 describing an individual with a disability.

20 (20) Procurement expenditures necessary for the
21 Illinois Commerce Commission to hire third-party
22 facilitators pursuant to Sections 16-105.17 and 16-108.18
23 of the Public Utilities Act or an ombudsman pursuant to
24 Section 16-107.5 of the Public Utilities Act, a
25 facilitator pursuant to Section 16-105.17 of the Public
26 Utilities Act, or a grid auditor pursuant to Section

1 16-105.10 of the Public Utilities Act.

2 (21) Procurement expenditures for the purchase,
3 renewal, and expansion of software, software licenses, or
4 software maintenance agreements that support the efforts
5 of the Illinois State Police to enforce, regulate, and
6 administer the Firearm Owners Identification Card Act, the
7 Firearm Concealed Carry Act, the Firearms Restraining
8 Order Act, the Firearm Dealer License Certification Act,
9 the Law Enforcement Agencies Data System (LEADS), the
10 Uniform Crime Reporting Act, the Criminal Identification
11 Act, the Illinois Uniform Conviction Information Act, and
12 the Gun Trafficking Information Act, or establish or
13 maintain record management systems necessary to conduct
14 human trafficking investigations or gun trafficking or
15 other stolen firearm investigations. This paragraph (21)
16 applies to contracts entered into on or after January 10,
17 2023 (the effective date of Public Act 102-1116) and the
18 renewal of contracts that are in effect on January 10,
19 2023 (the effective date of Public Act 102-1116).

20 (22) Contracts for project management services and
21 system integration services required for the completion of
22 the State's enterprise resource planning project. This
23 exemption becomes inoperative 5 years after June 7, 2023
24 (the effective date of the changes made to this Section by
25 Public Act 103-8). This paragraph (22) applies to
26 contracts entered into on or after June 7, 2023 (the

1 effective date of the changes made to this Section by
2 Public Act 103-8) and the renewal of contracts that are in
3 effect on June 7, 2023 (the effective date of the changes
4 made to this Section by Public Act 103-8).

5 (23) Procurements necessary for the Department of
6 Insurance to implement the Illinois Health Benefits
7 Exchange Law if the Department of Insurance has made a
8 good faith determination that it is necessary and
9 appropriate for the expenditure to fall within this
10 exemption. The procurement process shall be conducted in a
11 manner substantially in accordance with the requirements
12 of Sections 20-160 and 25-60 and Article 50 of this Code. A
13 copy of these contracts shall be made available to the
14 Chief Procurement Officer immediately upon request. This
15 paragraph is inoperative 5 years after June 27, 2023 (the
16 effective date of Public Act 103-103).

17 (24) ~~(22)~~ Contracts for public education programming,
18 noncommercial sustaining announcements, public service
19 announcements, and public awareness and education
20 messaging with the nonprofit trade associations of the
21 providers of those services that inform the public on
22 immediate and ongoing health and safety risks and hazards.

23 (25) Contracts that are entered into by the Department
24 of Natural Resources and that are exempt from this Code
25 under subsection (d) of Section 25 of the Youth and Young
26 Adult Conservation Education Act.

1 Notwithstanding any other provision of law, for contracts
2 with an annual value of more than \$100,000 entered into on or
3 after October 1, 2017 under an exemption provided in any
4 paragraph of this subsection (b), except paragraph (1), (2),
5 or (5), each State agency shall post to the appropriate
6 procurement bulletin the name of the contractor, a description
7 of the supply or service provided, the total amount of the
8 contract, the term of the contract, and the exception to the
9 Code utilized. The chief procurement officer shall submit a
10 report to the Governor and General Assembly no later than
11 November 1 of each year that shall include, at a minimum, an
12 annual summary of the monthly information reported to the
13 chief procurement officer.

14 (c) This Code does not apply to the electric power
15 procurement process provided for under Section 1-75 of the
16 Illinois Power Agency Act and Section 16-111.5 of the Public
17 Utilities Act. This Code does not apply to the procurement of
18 technical and policy experts pursuant to Section 1-129 of the
19 Illinois Power Agency Act.

20 (d) Except for Section 20-160 and Article 50 of this Code,
21 and as expressly required by Section 9.1 of the Illinois
22 Lottery Law, the provisions of this Code do not apply to the
23 procurement process provided for under Section 9.1 of the
24 Illinois Lottery Law.

25 (e) This Code does not apply to the process used by the
26 Capital Development Board to retain a person or entity to

1 assist the Capital Development Board with its duties related
2 to the determination of costs of a clean coal SNG brownfield
3 facility, as defined by Section 1-10 of the Illinois Power
4 Agency Act, as required in subsection (h-3) of Section 9-220
5 of the Public Utilities Act, including calculating the range
6 of capital costs, the range of operating and maintenance
7 costs, or the sequestration costs or monitoring the
8 construction of clean coal SNG brownfield facility for the
9 full duration of construction.

10 (f) (Blank).

11 (g) (Blank).

12 (h) This Code does not apply to the process to procure or
13 contracts entered into in accordance with Sections 11-5.2 and
14 11-5.3 of the Illinois Public Aid Code.

15 (i) Each chief procurement officer may access records
16 necessary to review whether a contract, purchase, or other
17 expenditure is or is not subject to the provisions of this
18 Code, unless such records would be subject to attorney-client
19 privilege.

20 (j) This Code does not apply to the process used by the
21 Capital Development Board to retain an artist or work or works
22 of art as required in Section 14 of the Capital Development
23 Board Act.

24 (k) This Code does not apply to the process to procure
25 contracts, or contracts entered into, by the State Board of
26 Elections or the State Electoral Board for hearing officers

1 appointed pursuant to the Election Code.

2 (l) This Code does not apply to the processes used by the
3 Illinois Student Assistance Commission to procure supplies and
4 services paid for from the private funds of the Illinois
5 Prepaid Tuition Fund. As used in this subsection (l), "private
6 funds" means funds derived from deposits paid into the
7 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

8 (m) This Code shall apply regardless of the source of
9 funds with which contracts are paid, including federal
10 assistance moneys. Except as specifically provided in this
11 Code, this Code shall not apply to procurement expenditures
12 necessary for the Department of Public Health to conduct the
13 Healthy Illinois Survey in accordance with Section 2310-431 of
14 the Department of Public Health Powers and Duties Law of the
15 Civil Administrative Code of Illinois.

16 (Source: P.A. 102-175, eff. 7-29-21; 102-483, eff 1-1-22;
17 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff.
18 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;
19 102-1116, eff. 1-10-23; 103-8, eff. 6-7-23; 103-103, eff.
20 6-27-23; 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; revised
21 1-2-24.)".