



Rep. Laura Faver Dias

**Filed: 4/8/2024**

10300HB4838ham001

LRB103 36930 BDA 71994 a

1 AMENDMENT TO HOUSE BILL 4838

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4838 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Natural Resources Act is  
5 amended by changing Sections 1-25, 20-5, 20-10, and 20-15 as  
6 follows:

7 (20 ILCS 801/1-25)

8 Sec. 1-25. ~~Powers of the~~ Illinois State Museum. In  
9 addition to its other powers and duties, the Department shall  
10 have the following powers and duties which shall be performed  
11 by the State Museum:

12 (1) To investigate and study the natural resources and  
13 histories of the State and to prepare printed reports and  
14 furnish information fundamental to the conservation and  
15 development of natural resources, and and for that purpose  
16 and for the purpose of upholding federal requirements

1       under the Native American Grave Protection and  
2       Repatriation Act, the officers and employees thereof may,  
3       pursuant to rule adopted by the Department, enter and  
4       cross all lands in this State, doing no damage to private  
5       property.

6           (2) To cooperate with and advise departments having  
7       administrative powers and duties relating to the natural  
8       resources of the State, and to cooperate with similar  
9       departments in other states, with tribal nations, and with  
10      the United States Government.

11          (3) To cooperate with the Illinois State Academy of  
12      Science and to publish a suitable number of the results of  
13      the investigations and research in the field of natural  
14      science to the end that the same may be distributed to the  
15      interested public. This cooperation shall not grant any  
16      special rights, authority, or privileges to the Academy.

17          (4) To maintain a State Museum, and to collect and  
18      preserve objects of scientific, historic, and artistic  
19      value, representing past and present fauna and flora, the  
20      life and work of humankind ~~man~~, geological history,  
21      natural resources, and the manufacturing and fine arts; to  
22      welcome visitors of all ages to the State Museum; and to  
23      interpret for and educate the public concerning the  
24      foregoing. The State Museum shall work with Native  
25      Americans to create an interpretation of Native American  
26      histories and art directed by tribal partners.

1           (5) At the sole discretion of the Department, the  
2 State Museum may ~~to~~ cooperate with the Illinois State  
3 Museum Society for the ~~mutual~~ benefit of the State Museum.  
4 This cooperation shall not grant any special rights,  
5 authority, or privileges to the Society. Upon ~~and the~~  
6 ~~Society, with the Museum furnishing necessary space for~~  
7 ~~the Society to carry on its functions and keep its~~  
8 ~~records, and, upon~~ the recommendation of the State Museum  
9 Director with the approval of the ~~Board of State Museum~~  
10 ~~Advisors and the~~ Director of the Department, the State  
11 Museum may ~~to~~ enter into agreements with the ~~Illinois~~  
12 ~~State Museum~~ Society for the operation of a sales counter  
13 and other concessions for the ~~mutual~~ benefit of the State  
14 Museum and the Society. The State Museum may enter into  
15 agreements with the Society for programs at or outside the  
16 State Museum. The Society shall be solely responsible for  
17 its own budget and the preparation of the budget, its  
18 staff, its equipment, its supplies, and its programs.

19           (6) To accept grants of property and to hold property  
20 to be administered as part of the State Museum for the  
21 purpose of preservation, research of interpretation of  
22 significant areas within the State for the purpose of  
23 preserving, studying, and interpreting history and  
24 archaeological and natural phenomena and for the purpose  
25 of upholding Native American Grave Protection and  
26 Repatriation Act requirements.

1           (7) To contribute to and support the operations,  
2 programs and capital development of public museums in this  
3 State. For the purposes of this Section, "public museum"  
4 means a facility: (A) that is operating for the purposes  
5 of promoting cultural development through special  
6 activities or programs or through performing arts that are  
7 performed in an indoor setting, and acquiring, conserving,  
8 preserving, studying, interpreting, enhancing, and in  
9 particular, organizing and continuously exhibiting  
10 specimens, artifacts, articles, documents and other things  
11 of historical, anthropological, archaeological,  
12 industrial, scientific or artistic import, to the public  
13 for its instruction and enjoyment, and (B) that either (i)  
14 is operated by or located upon land owned by a unit of  
15 local government or (ii) is a museum that has an annual  
16 attendance of at least 150,000 and offers educational  
17 programs to school groups during school hours. A museum is  
18 eligible to receive funds for capital development under  
19 this subdivision (7) only if it is operated by or located  
20 upon land owned by a unit of local government or if it is  
21 certified by a unit of local government in which it is  
22 located as a public museum meeting the criteria of this  
23 Section. Recipients of funds for capital development under  
24 this subdivision (7) shall match State funds with local or  
25 private funding according to the following:

26           (a) for a public museum with an attendance of

1           300,000 or less during the preceding calendar year, no  
2 match is required;

3           (b) for a public museum with an attendance of over  
4 300,000 but less than 600,000 during the preceding  
5 calendar year, the match must be at a ratio of \$1 from  
6 local and private funds for every \$1 in State funds;  
7 and

8           (c) for a public museum with an attendance of over  
9 600,000 during the preceding calendar year, the match  
10 must be at a ratio of \$2 from local and private funds  
11 for every \$1 in State funds.

12           The Department shall formulate rules and regulations  
13 relating to the allocation of any funds appropriated by  
14 the General Assembly for the purpose of contributing to  
15 the support of public museums in this State.

16           (8) To perform all other duties and assume all  
17 obligations of the former Department of Energy and Natural  
18 Resources and the former Department of Registration and  
19 Education pertaining to the State Museum.

20           (9) To work in collaboration with the Division of  
21 Historic Preservation of the Department in the exercise of  
22 all the rights, powers, and duties conferred upon the  
23 Department under the Historic Preservation Act.

24 (Source: P.A. 102-1005, eff. 5-27-22.)

25 (20 ILCS 801/20-5)

1           Sec. 20-5. State Museum. The Department of Natural  
2 Resources shall have within it the office of the Illinois  
3 State Museum. ~~The Board of the Illinois State Museum is~~  
4 ~~retained as the governing board for the State Museum.~~

5 (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

6           (20 ILCS 801/20-10)

7           Sec. 20-10. Advisory Board of the Illinois State Museum.

8           (a) Within the Department there shall be an Advisory a  
9 Board of the Illinois State Museum. The Advisory Board shall  
10 be 7 composed of 11 persons who shall be appointed by the  
11 Governor with the advice and consent of the Senate. Any  
12 members appointed before July 1, 2026 shall serve the full  
13 term for which they were appointed, unless removed by the  
14 Governor. Beginning on July 1, 2026, 9 members shall have at  
15 least 5 years of experience practicing or teaching in, one of  
16 whom shall be a senior citizen age 60 or over. The Board shall  
17 be composed of 9 representatives of the natural sciences,  
18 anthropology, art, history, or and business and shall be from  
19 diverse backgrounds and geographical locations across the  
20 State; and 2 members shall be representatives of  
21 community-based organizations, irrespective of background and  
22 experience. Beginning on July 1, 2026, the Board shall include  
23 6 individuals from a historically marginalized identity,7  
24 qualified by at least 10 years of experience in practicing or  
25 teaching their several professions; one senior citizen; and

1 ~~the Director of Natural Resources or the Director's designee.~~  
2 All members appointed after January 1, 2025 shall serve for  
3 2-year ~~Members of the Board shall be appointed by the Governor~~  
4 ~~with the advice and consent of the Senate and shall serve for~~  
5 2-year terms. The Governor shall be entitled to remove any  
6 member due to incompetency, dereliction of duty, or  
7 malfeasance.

8 The transfer of the Board to the Department under this Act  
9 does not terminate or otherwise affect the term of membership  
10 of any member of the Board, except that the former Director of  
11 Energy and Natural Resources is replaced by the Director of  
12 Natural Resources.

13 (b) The Advisory Board shall:

14 (1) advise the Director of the Department, or the  
15 Director's designee, in all matters pertaining to the  
16 maintenance, the extension, and the mission usefulness of  
17 the Illinois State Museum, including, but not limited to,  
18 the needs for capital development projects, assistance  
19 with long-term planning for the State Museum, and other  
20 large-scale operational changes, except that these matters  
21 shall be determined and shall be defined solely by the  
22 State Museum;

23 (2) make recommendations concerning the appointment of  
24 a new State Museum ~~museum~~ director whenever a vacancy  
25 occurs in that position, except that the Department shall  
26 have the sole authority to determine the process used to

1 identify and employ a new State Museum director,  
2 including, but not limited to, the authority to determine  
3 how and when to involve or employ an individual or  
4 business to aid in conducting a search for interested and  
5 qualified candidates; to identify qualified candidates; to  
6 interview candidates; to make an offer of employment to  
7 the selected candidate; and to determine the compensation  
8 of the new State Museum Director; and

9 (3) (blank);

10 (4) review the budget of the Illinois State Museum and  
11 make recommendations to ~~with reference thereto to the~~  
12 ~~Governor through~~ the Director of the Department.

13 (c) (Blank).

14 (Source: P.A. 102-303, eff. 1-1-22; 102-1005, eff. 5-27-22.)

15 (20 ILCS 801/20-15)

16 Sec. 20-15. Moneys collected by the Illinois State Museum  
17 ~~Entrance fee. All moneys paid to, collected by, or donated to~~  
18 the State Museum ~~The Department may set by administrative rule~~  
19 ~~an entrance fee for visitors to the Illinois State Museum. The~~  
20 ~~fee assessed by this Section~~ shall be deposited into the  
21 Illinois State Museum Fund for the Department to use to  
22 support the Illinois State Museum. The moneys ~~monies~~ deposited  
23 into the Illinois State Museum Fund under this Section shall  
24 not be subject to administrative charges or chargebacks unless  
25 otherwise authorized by this Act.



1 (Source: P.A. 97-1136, eff. 1-1-13.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law."