

1 AMENDMENT TO HOUSE BILL 1514

2 AMENDMENT NO. _____. Amend House Bill 1514, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Conservation District Act is amended by
6 adding Section 18.1 as follows:

7 (70 ILCS 410/18.1 new)

8 Sec. 18.1. Organization as a forest preserve district.
9 The voters of a conservation district that is entirely within
10 one county may, by a single referendum proposition, dissolve
11 the conservation district under Section 18 of this Act and
12 incorporate as a forest preserve district under Section 1 the
13 Downstate Forest Preserve District Act. The referendum may be
14 placed on the ballot upon either of the following:

15 (1) An ordinance by the county board of the county
16 in which the district lies requiring the referendum.

17 (2) The filing of a petition with the board of
18 trustees signed by the electors of the district equal in
19 number to 8% or more of the total number of votes cast
20 for Governor district-wide in the most recent
21 gubernatorial election asking that the question of
22 whether the district shall be dissolved and organized as

1 a forest preserve district.

2 The Secretary of the board of trustees of the county
3 board or the board of trustees, as appropriate, shall certify
4 the proposition to the appropriate election authorities who
5 shall submit the proposition at a consolidated or general
6 election according to the Election Code. The Election code
7 shall apply to and govern the election.

8 The proposition shall be in substantially the following
9 form:

10 Shall (insert name) Conservation District be
11 dissolved under the provisions of Section 18 of the
12 Conservation District Act and be organized as a forest
13 preserve district under the provisions of the Downstate
14 Forest Preserve District Act?

15 The votes shall be recorded as "Yes" or "No".

16 If a majority of the votes cast on the proposition are in
17 the affirmative, the conservation district shall be deemed to
18 be dissolved under Section 18 of the Conservation District
19 Act and the territory shall be incorporated as a forest
20 preserve district under Section 1 of the Downstate Forest
21 Preserve District Act. The resulting forest preserve district
22 shall not be deemed to be the legal successor or assign of
23 the dissolved conservation district.

24 Section 10. The Downstate Forest Preserve District Act
25 is amended by changing Section 1 as follows:

26 (70 ILCS 805/1) (from Ch. 96 1/2, par. 6302)

27 Sec. 1. Whenever any area of contiguous territory lying
28 wholly within one county contains one or more natural forests
29 or parks thereof and one or more cities, towns or villages,
30 such territory may be incorporated as a forest preserve
31 district by a referendum passed under Section 18.1 of the
32 Conservation District Act or in the following manner, to wit:

1 Any 500 legal voters residing within the limits of such
2 proposed district may petition the circuit court of the
3 county in which such proposed district lies, to order the
4 question to be submitted to the legal voters of such proposed
5 district whether or not it shall be organized as a forest
6 preserve district under this act. Such petition shall be
7 addressed to the circuit court of the county in which such
8 proposed forest preserve district is situated and shall
9 contain a definite description of the territory intended to
10 be embraced in such district, and the name of such district.
11 Upon the filing of such petition in the office of the clerk
12 of the circuit court of the county in which such territory is
13 situated, it shall be the duty of such circuit court to fix a
14 day and hour for the public consideration thereof, which
15 shall not be less than 15 days after the filing of such
16 petition. Such circuit court shall cause a notice of the time
17 and place of such public consideration to be published 3
18 successive days in some newspaper having a general
19 circulation in the territory proposed to be placed in such
20 district. The date of the last publication of such notice
21 shall not be less than 5 days prior to the time set for such
22 public hearing. At the time and place fixed for such public
23 hearing the circuit court shall hear any person owning
24 property in such proposed district who desires to be heard,
25 and if the circuit judge finds that all of the provisions of
26 this act have been complied with, the court shall enter an
27 order fixing and defining the boundaries and the name of such
28 proposed district in accordance with the prayer of the
29 petition. In the event that any other petition or petitions
30 for the organization of a forest preserve district or
31 districts in the same county is filed under this act before
32 the time fixed for the public hearing of the first petition,
33 the circuit court shall postpone the public consideration of
34 the first petition so that the hearing of all petitions shall

1 be set for the same day and hour. In any county where there
2 are 2 or more judges sitting at the time of filing such first
3 petitions the clerk of the circuit court shall cause all
4 petitions filed subsequent to the first petition to be
5 assigned to the judge to whom the first petition is assigned
6 so that all such petitions may be heard by the same judge.

7 Should 2 or more petitions be filed under this act and
8 come on for hearing at the same time and it shall be found by
9 the circuit court that any of the territory embraced in any
10 one of the petitions is included in or contiguous with the
11 territory embraced in any other petition or petitions, the
12 circuit court may include all of the territory described in
13 such petitions in one district and shall fix the name
14 proposed in the petition first filed as the name for the
15 district. After the entry of the order fixing and defining
16 the boundaries and the name of such proposed district, it
17 shall be the duty of the circuit court to order to be
18 submitted to the legal voters of such proposed district at
19 any election, the question of the organization of such
20 proposed district. The clerk of the circuit court shall
21 certify the order and the question to the proper election
22 officials who shall submit the question to the voters of the
23 proposed district in accordance with the general election
24 law. Notice of the referendum shall contain a definite
25 description of the territory intended to be embraced in such
26 district, and the name of such district.

27 (Source: P.A. 83-1362.)".