



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1505

by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/2A-1.2	from Ch. 46, par. 2A-1.2
70 ILCS 810/2.1	from Ch. 96 1/2, par. 6403
70 ILCS 810/5	from Ch. 96 1/2, par. 6408
70 ILCS 810/14	from Ch. 96 1/2, par. 6417
70 ILCS 810/20	from Ch. 96 1/2, par. 6423

Amends the Cook County Forest Preserve District Act. Provides that, beginning with the general election held in 2014, the commissioners of the Forest Preserve District of Cook County shall be elected from 3 specified election districts. Provides the election procedures and terms of office for the 9 commissioners. Provides that the president, with the advice and consent of the board of commissioners, must appoint a general superintendent. Provides that the general superintendent is the chief administrative officer of the district. Amends the Election Code. Provides that, at the general election in the appropriate even-numbered years, the offices of commissioner of the Forest Preserve District of Cook County shall be filled. Contains other provisions. Effective immediately.

LRB097 10392 RLJ 50610 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Election Code is amended by changing Section  
5 2A-1.2 as follows:

6 (10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2)

7 Sec. 2A-1.2. Consolidated Schedule of Elections - Offices  
8 Designated.

9 (a) At the general election in the appropriate  
10 even-numbered years, the following offices shall be filled or  
11 shall be on the ballot as otherwise required by this Code:

12 (1) Elector of President and Vice President of the  
13 United States;

14 (2) United States Senator and United States  
15 Representative;

16 (3) State Executive Branch elected officers;

17 (4) State Senator and State Representative;

18 (5) County elected officers, including State's  
19 Attorney, County Board member, County Commissioners, and  
20 elected President of the County Board or County Chief  
21 Executive;

22 (6) Circuit Court Clerk;

23 (7) Regional Superintendent of Schools, except in

1 counties or educational service regions in which that  
2 office has been abolished;

3 (8) Judges of the Supreme, Appellate and Circuit  
4 Courts, on the question of retention, to fill vacancies and  
5 newly created judicial offices;

6 (9) (Blank);

7 (10) Trustee of the Metropolitan Sanitary District of  
8 Chicago, and elected Trustee of other Sanitary Districts;

9 (11) Special District elected officers, not otherwise  
10 designated in this Section, where the statute creating or  
11 authorizing the creation of the district requires an annual  
12 election and permits or requires election of candidates of  
13 political parties; ▯

14 (12) Forest preserve district commissioners elected  
15 under Section 5 of the Cook County Forest Preserve District  
16 Act.

17 (b) At the general primary election:

18 (1) in each even-numbered year candidates of political  
19 parties shall be nominated for those offices to be filled  
20 at the general election in that year, except where pursuant  
21 to law nomination of candidates of political parties is  
22 made by caucus.

23 (2) in the appropriate even-numbered years the  
24 political party offices of State central committeeman,  
25 township committeeman, ward committeeman, and precinct  
26 committeeman shall be filled and delegates and alternate

1 delegates to the National nominating conventions shall be  
2 elected as may be required pursuant to this Code. In the  
3 even-numbered years in which a Presidential election is to  
4 be held, candidates in the Presidential preference primary  
5 shall also be on the ballot.

6 (3) in each even-numbered year, where the municipality  
7 has provided for annual elections to elect municipal  
8 officers pursuant to Section 6(f) or Section 7 of Article  
9 VII of the Constitution, pursuant to the Illinois Municipal  
10 Code or pursuant to the municipal charter, the offices of  
11 such municipal officers shall be filled at an election held  
12 on the date of the general primary election, provided that  
13 the municipal election shall be a nonpartisan election  
14 where required by the Illinois Municipal Code. For partisan  
15 municipal elections in even-numbered years, a primary to  
16 nominate candidates for municipal office to be elected at  
17 the general primary election shall be held on the Tuesday 6  
18 weeks preceding that election.

19 (4) in each school district which has adopted the  
20 provisions of Article 33 of the School Code, successors to  
21 the members of the board of education whose terms expire in  
22 the year in which the general primary is held shall be  
23 elected.

24 (c) At the consolidated election in the appropriate  
25 odd-numbered years, the following offices shall be filled:

26 (1) Municipal officers, provided that in

1 municipalities in which candidates for alderman or other  
2 municipal office are not permitted by law to be candidates  
3 of political parties, the runoff election where required by  
4 law, or the nonpartisan election where required by law,  
5 shall be held on the date of the consolidated election; and  
6 provided further, in the case of municipal officers  
7 provided for by an ordinance providing the form of  
8 government of the municipality pursuant to Section 7 of  
9 Article VII of the Constitution, such offices shall be  
10 filled by election or by runoff election as may be provided  
11 by such ordinance;

12 (2) Village and incorporated town library directors;

13 (3) City boards of stadium commissioners;

14 (4) Commissioners of park districts;

15 (5) Trustees of public library districts;

16 (6) Special District elected officers, not otherwise  
17 designated in this section, where the statute creating or  
18 authorizing the creation of the district permits or  
19 requires election of candidates of political parties;

20 (7) Township officers, including township park  
21 commissioners, township library directors, and boards of  
22 managers of community buildings, and Multi-Township  
23 Assessors;

24 (8) Highway commissioners and road district clerks;

25 (9) Members of school boards in school districts which  
26 adopt Article 33 of the School Code;

1           (10) The directors and chairman of the Chain O Lakes -  
2           Fox River Waterway Management Agency;

3           (11) Forest preserve district commissioners elected  
4           under Section 3.5 of the Downstate Forest Preserve District  
5           Act;

6           (12) Elected members of school boards, school  
7           trustees, directors of boards of school directors,  
8           trustees of county boards of school trustees (except in  
9           counties or educational service regions having a  
10          population of 2,000,000 or more inhabitants) and members of  
11          boards of school inspectors, except school boards in school  
12          districts that adopt Article 33 of the School Code;

13          (13) Members of Community College district boards;

14          (14) Trustees of Fire Protection Districts;

15          (15) Commissioners of the Springfield Metropolitan  
16          Exposition and Auditorium Authority;

17          (16) Elected Trustees of Tuberculosis Sanitarium  
18          Districts;

19          (17) Elected Officers of special districts not  
20          otherwise designated in this Section for which the law  
21          governing those districts does not permit candidates of  
22          political parties.

23          (d) At the consolidated primary election in each  
24          odd-numbered year, candidates of political parties shall be  
25          nominated for those offices to be filled at the consolidated  
26          election in that year, except where pursuant to law nomination

1 of candidates of political parties is made by caucus, and  
2 except those offices listed in paragraphs (12) through (17) of  
3 subsection (c).

4 At the consolidated primary election in the appropriate  
5 odd-numbered years, the mayor, clerk, treasurer, and aldermen  
6 shall be elected in municipalities in which candidates for  
7 mayor, clerk, treasurer, or alderman are not permitted by law  
8 to be candidates of political parties, subject to runoff  
9 elections to be held at the consolidated election as may be  
10 required by law, and municipal officers shall be nominated in a  
11 nonpartisan election in municipalities in which pursuant to law  
12 candidates for such office are not permitted to be candidates  
13 of political parties.

14 At the consolidated primary election in the appropriate  
15 odd-numbered years, municipal officers shall be nominated or  
16 elected, or elected subject to a runoff, as may be provided by  
17 an ordinance providing a form of government of the municipality  
18 pursuant to Section 7 of Article VII of the Constitution.

19 (e) (Blank).

20 (f) At any election established in Section 2A-1.1, public  
21 questions may be submitted to voters pursuant to this Code and  
22 any special election otherwise required or authorized by law or  
23 by court order may be conducted pursuant to this Code.

24 Notwithstanding the regular dates for election of officers  
25 established in this Article, whenever a referendum is held for  
26 the establishment of a political subdivision whose officers are

1 to be elected, the initial officers shall be elected at the  
2 election at which such referendum is held if otherwise so  
3 provided by law. In such cases, the election of the initial  
4 officers shall be subject to the referendum.

5 Notwithstanding the regular dates for election of  
6 officials established in this Article, any community college  
7 district which becomes effective by operation of law pursuant  
8 to Section 6-6.1 of the Public Community College Act, as now or  
9 hereafter amended, shall elect the initial district board  
10 members at the next regularly scheduled election following the  
11 effective date of the new district.

12 (g) At any election established in Section 2A-1.1, if in  
13 any precinct there are no offices or public questions required  
14 to be on the ballot under this Code then no election shall be  
15 held in the precinct on that date.

16 (h) There may be conducted a referendum in accordance with  
17 the provisions of Division 6-4 of the Counties Code.

18 (Source: P.A. 89-5, eff. 1-1-96; 89-95, eff. 1-1-96; 89-626,  
19 eff. 8-9-96; 90-358, eff. 1-1-98.)

20 Section 10. The Cook County Forest Preserve District Act is  
21 amended by changing Sections 2.1, 5, 14, and 20 as follows:

22 (70 ILCS 810/2.1) (from Ch. 96 1/2, par. 6403)

23 Sec. 2.1. Definition of board. "Board" means the board of  
24 commissioners for the Forest Preserve District of Cook County



1 ~~county board of commissioners when acting as the governing body~~  
2 ~~of a forest preserve district.~~

3 (Source: P.A. 80-320.)

4 (70 ILCS 810/5) (from Ch. 96 1/2, par. 6408)

5 Sec. 5. Election of commissioners. Prior to December 1,  
6 2014, the ~~The~~ county board of commissioners of the county in  
7 which a forest preserve district is located shall be the forest  
8 preserve district board of such district and the president of  
9 the county board shall be the president of the forest preserve  
10 district board. The members shall act without any other pay  
11 than that already provided by law.

12 Beginning on December 1, 2014, the affairs of the district  
13 shall be managed by a board of commissioners consisting of 9  
14 members. Beginning with the general election held in 2014 and  
15 at each succeeding general election, the commissioners shall be  
16 elected from the 3 election districts for the Cook County Board  
17 of Review created under Section 5-5 of the Property Tax Code.  
18 Candidates for commissioner shall not be candidates of  
19 established political parties, but shall be non-partisan. Each  
20 commissioner must be a resident of the election district for at  
21 least one year prior to the commencement of the term of office.  
22 Nomination of candidates for the office of commissioner at the  
23 initial and each succeeding election shall be made by petition  
24 signed in the aggregate for each candidate by not less than  
25 1,000 qualified voters of the election district.

1       At the 2014 general election, 3 commissioners shall be  
2 elected from each election district. No later than 30 days  
3 after the 2014 general election, the county clerk shall divide  
4 the commissioners publicly by lot into 3 equal groups, with one  
5 commissioner from each election district in each group.  
6 Commissioners or their successors from group one shall be  
7 elected to initial terms of 6 years. Commissioners or their  
8 successors from the second group shall be elected to initial  
9 terms of 4 years. The commissioners or their successors from  
10 the third group shall be elected to initial terms of 2 years.  
11 Thereafter, each commissioner shall be elected for a 6-year  
12 term. The commissioners shall elect from their number a  
13 president for a 2-year term.

14       The term of office for the commissioners elected under this  
15 Section shall begin on the first Monday of the month following  
16 the month of the election. Each commissioner before entering  
17 upon the duties of his or her office shall take an oath to  
18 faithfully discharge his or her duties as a commissioner. The  
19 commissioners shall hold their office until their successors  
20 are elected and have qualified. No commissioner shall serve  
21 simultaneously as a commissioner and a member or chairperson of  
22 another countywide elected board, commission, or agency.

23       If a vacancy in the position of board president or  
24 commissioner occurs, other than by expiration of the  
25 president's or commissioner's term, the board shall declare  
26 that a vacancy exists. If the vacancy occurs in the office of

1 the president, the board shall, within 30 days after the date  
2 of the vacancy, appoint a person to serve for the remainder of  
3 the unexpired term or until his or her successor is elected and  
4 has qualified. If a vacancy occurs in the office of forest  
5 preserve district commissioner, the president of the board  
6 shall, within 60 days after the date of the vacancy, with the  
7 advice and consent of the other commissioners then serving,  
8 appoint a person to serve for the remainder of the unexpired  
9 term or until his or her successor is elected and has  
10 qualified. If more than 28 months remain in the unexpired term  
11 of a commissioner, the appointment shall be until the next  
12 general election, at which time the vacated office shall be  
13 filled by election for the remainder of the term.

14 All commissioners elected or appointed under this Section  
15 shall serve without compensation, but they shall be reimbursed  
16 for their reasonable expenses actually incurred in performing  
17 their official duties.

18 (Source: P.A. 80-320.)

19 (70 ILCS 810/14) (from Ch. 96 1/2, par. 6417)

20 Sec. 14. Powers of board; officers. The board, as corporate  
21 authority of a forest preserve district, shall have power to  
22 pass and enforce all necessary ordinances, rules and  
23 regulations for the management of the property and conduct of  
24 the business of such district. The board shall set the policies  
25 and goals for the district. The president of the such board,

1 with the advice and consent of the board of commissioners, must  
2 appoint a general superintendent to manage the forest preserve  
3 district and shall have power to appoint a secretary and an  
4 assistant secretary, ~~and~~ treasurer and an assistant treasurer,  
5 and any ~~such~~ other officers and ~~such~~ employees as may be  
6 necessary, all of whom, excepting the treasurer and attorneys,  
7 shall be under civil service rules and regulations, as provided  
8 in Section 17 of this Act. The appointed officers do not need  
9 to be members of the board. The general superintendent is the  
10 chief administrative officer of the district and shall  
11 supervise and be responsible for all administrative and  
12 operational matters of the forest preserve district. The  
13 general superintendent must be a resident of the forest  
14 preserve district. He or she must be selected solely based on  
15 his or her administrative and technical qualifications and  
16 without regard to his or her political affiliations. The  
17 general superintendent shall not serve simultaneously as the  
18 general superintendent and a commissioner. The assistant  
19 secretary and assistant treasurer shall perform the duties of  
20 the secretary and treasurer, respectively, in case of death of  
21 said officers or when said officers are unable to perform the  
22 duties of their respective offices because of absence or  
23 inability to act. All contracts for supplies, material or work  
24 involving an expenditure by forest preserve districts in excess  
25 of \$25,000 shall be let to the lowest responsible bidder, after  
26 due advertisement, excepting work requiring personal

1 confidence or necessary supplies under the control of  
2 monopolies, where competitive bidding is impossible. Contracts  
3 for supplies, material or work involving an expenditure of  
4 \$25,000 or less may be let without advertising for bids, but  
5 whenever practicable, at least 3 competitive bids shall be  
6 obtained before letting such contract. All contracts for  
7 supplies, material or work shall be signed by the president of  
8 the board and by any such other officer as the board in its  
9 discretion may designate.

10 Salaries of employees shall be fixed by ordinance.

11 (Source: P.A. 94-951, eff. 6-27-06.)

12 (70 ILCS 810/20) (from Ch. 96 1/2, par. 6423)

13 Sec. 20. Duties of president; vote of board. The president  
14 shall preside at all meetings of the board ~~and be the executive~~  
15 ~~officer of the district.~~ He or she shall sign all ordinances,  
16 resolutions, and other papers necessary to be signed ~~and shall~~  
17 ~~execute all contracts entered into by the district~~ and perform  
18 other duties as may be prescribed by ordinance. In the case of  
19 a special meeting, the president shall cause notice to be given  
20 to all members as provided by the rule of the board. He or she  
21 may veto any ordinance and any orders, resolutions and actions,  
22 or any items therein contained, of the board which provide for  
23 the purchase of real estate, or for the construction of  
24 improvements within the preserves of the district. Such veto  
25 shall be filed with the secretary of the board within 5 days

1 after the passage of the ordinance, order, resolution or action  
2 and when so vetoed the ordinance, order, resolution or action  
3 or any item therein contained is not effective unless it is  
4 again passed by two-thirds vote of all the members of the  
5 board. The president may vote in the same manner as the other  
6 members of the board. In the temporary absence or inability of  
7 the president, the members of the board may elect from their  
8 own number a president, pro tem.

9 The "Yeas" and "Nays" shall be taken, and entered on the  
10 journal of the board's proceedings, upon the passage of all  
11 ordinances and all proposals to create any liability, or for  
12 the expenditure or appropriation of money. The concurrence of a  
13 majority of all the members appointed to the board is necessary  
14 to the passage of any such ordinance or proposal. In all other  
15 cases the "Yeas" and "Nays" shall be taken at the request of  
16 any member of the board and shall be entered on the journal of  
17 the board's proceedings.

18 (Source: P.A. 80-320.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.