



Rep. Deborah Conroy

Filed: 3/13/2013

09800HB2377ham001

LRB098 04018 OMW 43044 a

1 AMENDMENT TO HOUSE BILL 2377

2 AMENDMENT NO. _____. Amend House Bill 2377 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Downstate Forest Preserve District Act is
5 amended by changing Section 3c as follows:

6 (70 ILCS 805/3c)

7 Sec. 3c. Elected board of commissioners in certain
8 counties. If the boundaries of a district are co-extensive with
9 the boundaries of a county having a population of more than
10 800,000 but less than 3,000,000, all commissioners of the
11 forest preserve district shall be elected from the same
12 districts as members of the county board beginning with the
13 general election held in 2002 and each succeeding general
14 election. One commissioner shall be elected from each district.
15 At their first meeting after their election in 2002 and
16 following each subsequent decennial reapportionment of the

1 county under Division 2-3 of the Counties Code, the elected
2 commissioners shall publicly by lot divide themselves into 2
3 groups, as equal in size as possible. Commissioners from the
4 first group shall serve for terms of 2, 4, and 4 years; and
5 commissioners from the second group shall serve terms of 4, 4,
6 and 2 years. Beginning with the general election in 2002, the
7 president of the board of commissioners of the forest preserve
8 district shall be elected by the voters of the county, rather
9 than by the commissioners. The president shall be a resident of
10 the county and shall be elected throughout the county for a
11 4-year term without having been first elected as commissioner
12 of the forest preserve district. Each commissioner shall be a
13 resident of the county board district from which he or she was
14 elected not later than the date of the commencement of the term
15 of office. The term of office for the president and
16 commissioners elected under this Section shall commence on the
17 first Monday of the month following the month of election.
18 Neither a commissioner nor the president of the board of
19 commissioners of that forest preserve district shall serve
20 simultaneously as member or chairman of the county board. No
21 person shall seek election to both the forest preserve
22 commission and the county board at the same election. The
23 president, with the advice and consent of the board of
24 commissioners shall appoint a secretary, treasurer, and such
25 other officers as deemed necessary by the board of
26 commissioners, which officers need not be members of the board

1 of commissioners. The president shall have the powers and
2 duties as specified in Section 12 of this Act.

3 Candidates for president and commissioner shall be
4 candidates of established political parties.

5 If a vacancy in the office of president or commissioner
6 occurs, other than by expiration of the president's or
7 commissioner's term, the forest preserve district board of
8 commissioners shall declare that a vacancy exists and
9 notification of the vacancy shall be given to the county
10 central committee of each established political party within 3
11 business days after the occurrence of the vacancy. If the
12 vacancy occurs in the office of forest preserve district
13 commissioner, the president of the board of commissioners
14 shall, within 60 days after the date of the vacancy, with the
15 advice and consent of other commissioners then serving, appoint
16 a person to serve for the remainder of the unexpired term. The
17 appointee shall be affiliated with the same political party as
18 the commissioner in whose office the vacancy occurred and be a
19 resident of such district. If a vacancy in the office of
20 president occurs, other than by expiration of the president's
21 term, the remaining members of the board of commissioners
22 shall, within 60 days after the vacancy, appoint one of the
23 commissioners to serve as president for the remainder of the
24 unexpired term. In that case, the office of the commissioner
25 who is appointed to serve as president shall be deemed vacant
26 and shall be filled within 60 days by appointment of the

1 president with the advice and consent of the other forest
2 preserve district commissioners. The commissioner who is
3 appointed to fill a vacancy in the office of president shall be
4 affiliated with the same political party as the person who
5 occupied the office of president prior to the vacancy. A person
6 appointed to fill a vacancy in the office of president or
7 commissioner shall establish his or her party affiliation by
8 his or her record of voting in primary elections or by holding
9 or having held an office in an established political party
10 organization before the appointment. If the appointee has not
11 voted in a party primary election or is not holding or has not
12 held an office in an established political party organization
13 before the appointment, the appointee shall establish his or
14 her political party affiliation by his or her record of
15 participating in an established political party's nomination
16 or election caucus. If, however, more than 28 months remain in
17 the unexpired term of a commissioner or the president, the
18 appointment shall be until the next general election, at which
19 time the vacated office of commissioner or president shall be
20 filled by election for the remainder of the term.
21 Notwithstanding any law to the contrary, if a vacancy occurs
22 after the last day provided in Section 7-12 of the Election
23 Code for filing nomination papers for the office of president
24 of a forest preserve district where that office is elected as
25 provided for in this Section, or as set forth in Section 7-61
26 of the Election Code, a vacancy in nomination shall be filled

1 by the passage of a resolution by the nominating committee of
2 the affected political party within the time periods specified
3 in the Election Code. The nominating committee shall consist of
4 the chairman of the county central committee and the township
5 chairmen of the affected political party. All other vacancies
6 in nomination shall be filled in accordance with the provisions
7 of the Election Code.

8 The president and commissioners elected under this Section
9 may be reimbursed for their reasonable expenses actually
10 incurred in performing their official duties under this Act in
11 accordance with the provisions of Section 3a. The reimbursement
12 paid under this Section shall be paid by the forest preserve
13 district.

14 Compensation for the president and the forest preserve
15 commissioners elected under this Section shall be established
16 by the board of commissioners of the forest preserve district.
17 Upon the petition of at least 500 persons who are registered
18 voters of a county in which a forest preserve district is
19 located, as determined on the date registration closed before
20 the regular election next preceding the last day on which the
21 petition may be filed, the county board shall certify and cause
22 to be submitted to the voters of the county at the next general
23 election the question of the whether the president and forest
24 preserve district commissioners shall serve without
25 compensation.

26 A signature on a petition shall not be valid or counted in

1 considering the petition unless the form requirements are
2 complied with and the date of each signature is less than 90
3 days before the last day for filing the petition. The statement
4 of the person who circulates the petition must include an
5 attestation (i) indicating the dates on which that sheet was
6 circulated, (ii) indicating the first and last date on which
7 that sheet was circulated, or (iii) certifying that none of the
8 signatures on the sheet was signed more than 90 days before the
9 last day for filing the petition. The petition must be filed at
10 least 180 days prior to the next general election.

11 The proposition shall be in substantially the following
12 form:

13 Shall the president and forest preserve district
14 commissioners of (name of forest preserve district) serve
15 without compensation on and after (date)?

16 The votes shall be recorded as "Yes" and "No".

17 If a majority of the votes cast are in favor of the
18 proposition, the president and forest preserve commissioners
19 shall, on and after the date provided in the referendum, serve
20 without compensation.

21 This Section does not apply to a forest preserve district
22 created under Section 18.5 of the Conservation District Act.

23 (Source: P.A. 94-617, eff. 8-18-05; 94-900, eff. 6-22-06.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."