



Rep. Deborah Conroy

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LRB098 04018 OMW 43262 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 At the next general election after the effective date of  
18 this amendatory Act of the 98th General Assembly, the question  
19 of the whether the president and forest preserve district  
20 commissioners shall serve without compensation shall be  
21 presented to the voters of the county in which a forest  
22 preserve district described under this Section is located.

23 The proposition shall be in substantially the following  
24 form:

25 Shall the president and forest preserve district  
26 commissioners of (name of forest preserve district) serve

1 without compensation, except that they shall be reimbursed  
2 for their reasonable expenses?

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

4 If a majority of the votes cast are in favor of the  
5 proposition, the president and forest preserve commissioners  
6 whose terms begin on and after the effective date of this  
7 amendatory Act of the 98th General Assembly shall serve without  
8 compensation, except that they shall be reimbursed for their  
9 reasonable expenses actually incurred in performing their  
10 official duties under this Act in accordance with the  
11 provisions of Section 3a. The reimbursement paid under this  
12 Section shall be paid by the forest preserve district.

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

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

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."