

AN ACT to create the Local Legacy Act.

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

Section 1. Short title. This Act may be cited as the
Local Legacy Act.

Section 5. Policy.

(a) Illinois has a rich natural and cultural heritage.
Whether historic sites, natural areas, rich farmland, or
other prized resources, every county has treasures worth
preserving for future generations.

(b) As counties and municipalities grow, they often do
not have the opportunity to consider which resources are most
important to them. Consequently, they may inadvertently
imperil a historic structure, sever a potential natural
corridor, or fragment farmland into small and unsustainable
remnants.

(c) It is necessary and desirable to provide technical
assistance and funding in the form of grants to encourage
partnerships between counties and municipalities for the
creation of an inventory of their natural areas, farmland,
and cultural assets and to develop a Resource Protection Plan
for protecting those areas.

(d) It is the purpose of this Act to promote voluntary
county-municipal partnerships in every county by the year
2020 that will inventory resources, develop Resource
Protection Plans, and implement their respective plans.

Section 10. Definitions. In this Act:

"Board" means the Local Legacy Board created under this
Act.

"Committee" means a Local Steering Committee established

under this Act.

"Cultural resource" means a structure, building, district, or site that has aesthetic, architectural, cultural, archeological, or historical significance at the local, state, or national level.

"Farmland" means land devoted to agriculture or horticultural uses for the production of food (including grains, fruits, vegetables, dairy products, or mushrooms), fiber, floriculture, or forest products, or the raising of farm animals (including livestock, sheep, swine, horses, ponies, poultry, bees, or fish) or wildlife.

"Inventory" means a listing of a county's and its municipalities' natural areas, farmland, and cultural resources.

"Natural area" means an area of land or water that either retains or has recovered to a substantial degree its original natural or primeval character, though it need not be completely undisturbed, or has floral, faunal, ecological, geological, or archeological features of scientific, educational, recreational, scenic, or aesthetic interest.

"Program" means the Local Legacy Program.

"Resource", unless otherwise specified, means farmland, a natural area, or a cultural resource.

"Resource Protection Plan" means an integrated document that includes goals, policies, strategies, and procedures for preserving key farmland, natural areas, and cultural resources identified in a countywide inventory and adopted as provided in Section 30 of this Act.

Section 15. The Local Legacy Board. The Local Legacy Board is created to administer the Program under this Act. The membership of the Board shall be composed of the Director of Natural Resources, the Director of Historic Preservation, and the Director of Agriculture, or their respective

designees. The Board must choose a Chairperson to serve for 2 years on a rotating basis. All members must be present for the Board to conduct official business. The Departments must each furnish technical support to the Board.

The Board has those powers necessary to carry out the purposes of this Act, including, without limitation, the power to:

(1) employ agents and employees necessary to carry out the purposes of this Act and fix their compensation, benefits, terms, and conditions of employment;

(2) adopt, alter and use a corporate seal;

(3) have an audit made of the accounts of any grantee or any person or entity that receives funding under this Act;

(4) enforce the terms of any grant made under this Act, whether in law or equity, or by any other legal means;

(5) prepare and submit a budget and request for appropriations for the necessary and contingent operating expenses of the Board; and

(6) receive and accept, from any source, aid or contributions of money, property, labor, or other items of value for furtherance of any of its purposes, subject to any conditions not inconsistent with this Act or with the laws of this State pertaining to those contributions, including, but not limited to, gifts, guarantees, or grants from any department, agency, or instrumentality of the United States of America.

The Board must adopt any rules, regulations, guidelines, and directives necessary to implement the Act, including guidelines for designing inventories so that they will be compatible with each other.

The Board must submit a report to the General Assembly and the Governor by January 1, 2005 and every 2 years

thereafter regarding progress made towards accomplishing the purposes of this Act.

Section 20. Local Legacy Program. The Local Legacy Program is created. The Board shall determine the eligibility of county-municipal partnerships for funding under the Program. The purpose of the Program is to provide grants to counties and municipalities to (i) inventory their natural areas, farmland, and cultural resources; and (ii) develop Resource Protection Plans.

Section 25. Local Steering Committee. Counties interested in assistance under this Act must form a steering committee consisting of 11 members in the following 3 categories chosen according to the following requirements:

(1) Three members of the county board appointed by the county board chairperson with the advice and consent of the county board.

(2) Three elected municipal officials chosen by the corporate authorities of those municipalities participating in the county-municipal partnership.

(3) Five public members who reside within the county and are appointed by a majority vote of the county board members and elected municipal officials on the Local Steering Committee, with one each representing the following categories:

- (a) Agriculture.
- (b) Environment.
- (c) Historic preservation.
- (d) Construction or development.
- (e) Citizen-at-large.

When the Committee is first established, one-third of the members of each category shall serve a term of one year; one-third shall serve a term of 2 years; and one-third shall

serve a term of 3 years, except for the public members, one of whom will serve for one year, 2 of whom shall serve for 2 years, and 2 of whom will serve for 3 years. All subsequent members shall serve for a term of 3 years. A vacancy shall be filled in the same manner as an original appointment.

The Chairperson shall be chosen for a term of 2 years from among the members of the Committee by a majority vote of the Committee; all members of the Committee including the Chairperson have a vote.

The Committee shall adopt its own rules of operation.

Section 30. Duties of the Local Steering Committee. The Local Steering Committee shall have the authority to apply for and receive grants to conduct an inventory and develop a Resource Protection Plan and to review all grant applications from units of local government before they are submitted to the Board.

The Local Steering Committee shall develop a strategy for conducting an inventory of natural areas, farmland, and cultural resources. The Committee shall determine which resources should be included in the inventory, the amount of financial and technical assistance needed from the State, what information is already available, who will conduct the inventory, how municipal and county efforts should be coordinated, and how to present the information so that it is compatible with inventories conducted by other county-municipal partnerships.

The Committee shall use the inventory as the basis for developing its Resource Protection Plan. Working with a professional planner or other resource specialist, the Committee shall develop criteria for prioritizing resources identified by the inventory. When prioritizing resources, the Committee shall analyze the threat to the resources using population projections, land use patterns, and development

trends. Upon the approval of two-thirds of its members, with at least one member from each of the 3 categories voting in approval, the Committee shall recommend that the county board and the municipalities within the county adopt the Resource Protection Plan. Amendments to the Resource Protection Plan must be approved in the same manner. A local government may object to all or part of the Resource Protection Plan in writing. If a written objection is filed with the Committee, the portion of the Plan objected to shall not be effective within that local government's borders. The objecting local government may modify or withdraw its objection at any time.

Section 35. Local Legacy Fund. The Local Legacy Fund is created as a special fund in the State treasury. Subject to appropriation, moneys shall be transferred into the Local Legacy Fund from the General Revenue Fund. All interest or other earnings that accrue from investment of the Local Legacy Fund moneys shall be credited to the Local Legacy Fund. The Local Legacy Fund shall be used by the Board to make grants to counties and municipalities for inventorying and planning for preservation of farmland, natural areas, and cultural resources.

Section 40. Consideration of State grant awards. When approving grant awards under this Act, the Board or the State agency, as the case may be, shall give preferential consideration to counties and municipalities that have adopted Resource Protection Plans.

Section 90. The State Finance Act is amended by adding Section 5.595 as follows:

(30 ILCS 105/5.595 new)

Sec. 5.595. The Local Legacy Fund.