



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4286

Introduced 12/20/2005, by Rep. Eileen Lyons

SYNOPSIS AS INTRODUCED:

70 ILCS 805/3c

Amends the Downstate Forest Preserve District Act. Deletes a provision that requires that the compensation for the president of the board of commissioners in certain counties shall be an amount equal to 85% of the annual salary of the county board chairman. Provides that the compensation of the president and the forest preserve commissioners shall be established by the board of commissioners of the forest preserve district (now, the compensation of the forest preserve commissioners is the same as that of county board members in the county with which the forest preserve is co-extensive). Effective immediately.

LRB094 15773 HLH 50988 b

FISCAL NOTE ACT
MAY APPLY

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 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
17 county under Division 2-3 of the Counties Code, the elected
18 commissioners shall publicly by lot divide themselves into 2
19 groups, as equal in size as possible. Commissioners from the
20 first group shall serve for terms of 2, 4, and 4 years; and
21 commissioners from the second group shall serve terms of 4, 4,
22 and 2 years. Beginning with the general election in 2002, the
23 president of the board of commissioners of the forest preserve
24 district shall be elected by the voters of the county, rather
25 than by the commissioners. The president shall be a resident of
26 the county and shall be elected throughout the county for a
27 4-year term without having been first elected as commissioner
28 of the forest preserve district. Each commissioner shall be a
29 resident of the county board district from which he or she was
30 elected not later than the date of the commencement of the term
31 of office. The term of office for the president and
32 commissioners elected under this Section shall commence on the

1 first Monday of the month following the month of election.
2 Neither a commissioner nor the president of the board of
3 commissioners of that forest preserve district shall serve
4 simultaneously as member or chairman of the county board. No
5 person shall seek election to both the forest preserve
6 commission and the county board at the same election. ~~The~~
7 ~~compensation for the president shall be an amount equal to 85%~~
8 ~~of the annual salary of the county board chairman.~~ The
9 president, with the advice and consent of the board of
10 commissioners shall appoint a secretary, treasurer, and such
11 other officers as deemed necessary by the board of
12 commissioners, which officers need not be members of the board
13 of commissioners. The president shall have the powers and
14 duties as specified in Section 12 of this Act.

15 Candidates for president and commissioner shall be
16 candidates of established political parties.

17 If a vacancy in the office of president or commissioner
18 occurs, other than by expiration of the president's or
19 commissioner's term, the forest preserve district board of
20 commissioners shall declare that a vacancy exists and
21 notification of the vacancy shall be given to the county
22 central committee of each established political party within 3
23 business days after the occurrence of the vacancy. If the
24 vacancy occurs in the office of forest preserve district
25 commissioner, the president of the board of commissioners
26 shall, within 60 days after the date of the vacancy, with the
27 advice and consent of other commissioners then serving, appoint
28 a person to serve for the remainder of the unexpired term. The
29 appointee shall be affiliated with the same political party as
30 the commissioner in whose office the vacancy occurred and be a
31 resident of such district. If a vacancy in the office of
32 president occurs, other than by expiration of the president's
33 term, the remaining members of the board of commissioners
34 shall, within 60 days after the vacancy, appoint one of the
35 commissioners to serve as president for the remainder of the
36 unexpired term. In that case, the office of the commissioner

1 who is appointed to serve as president shall be deemed vacant
2 and shall be filled within 60 days by appointment of the
3 president with the advice and consent of the other forest
4 preserve district commissioners. The commissioner who is
5 appointed to fill a vacancy in the office of president shall be
6 affiliated with the same political party as the person who
7 occupied the office of president prior to the vacancy. A person
8 appointed to fill a vacancy in the office of president or
9 commissioner shall establish his or her party affiliation by
10 his or her record of voting in primary elections or by holding
11 or having held an office in an established political party
12 organization before the appointment. If the appointee has not
13 voted in a party primary election or is not holding or has not
14 held an office in an established political party organization
15 before the appointment, the appointee shall establish his or
16 her political party affiliation by his or her record of
17 participating in an established political party's nomination
18 or election caucus. If, however, more than 28 months remain in
19 the unexpired term of a commissioner or the president, the
20 appointment shall be until the next general election, at which
21 time the vacated office of commissioner or president shall be
22 filled by election for the remainder of the term.
23 Notwithstanding any law to the contrary, if a vacancy occurs
24 after the last day provided in Section 7-12 of the Election
25 Code for filing nomination papers for the office of president
26 of a forest preserve district where that office is elected as
27 provided for in this Section, or as set forth in Section 7-61
28 of the Election Code, a vacancy in nomination shall be filled
29 by the passage of a resolution by the nominating committee of
30 the affected political party within the time periods specified
31 in the Election Code. The nominating committee shall consist of
32 the chairman of the county central committee and the township
33 chairmen of the affected political party. All other vacancies
34 in nomination shall be filled in accordance with the provisions
35 of the Election Code.

36 The president and commissioners elected under this Section

1 may be reimbursed for their reasonable expenses actually
2 incurred in performing their official duties under this Act in
3 accordance with the provisions of Section 3a. The reimbursement
4 paid under this Section shall be paid by the forest preserve
5 district.

6 Compensation for the president and the forest preserve
7 commissioners elected under this Section shall be established
8 by the board of commissioners of the forest preserve district
9 ~~the same as that of county board members of the county with~~
10 ~~which the forest preserve district's boundaries are~~
11 ~~co-extensive.~~

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

14 (Source: P.A. 94-617, eff. 8-18-05.)

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