



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3819

Introduced 2/22/2021, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

70 ILCS 805/8
70 ILCS 805/12

from Ch. 96 1/2, par. 6315
from Ch. 96 1/2, par. 6322

Amends the Downstate Forest Preserve District Act. Removes a provision providing that the president of the board is the executive director of the district. Provides that the board of a forest preserve district may appoint an executive director of the district and they may appoint the president of the board as executive director of the district. Provides that a president that is an executive director on the effective date of the amendatory Act shall remain the executive director until the conclusion of the president's term of office or the board appoints another individual as executive director, whichever is earlier, unless the board reappoints the president as executive director. Provides that an appointed executive director of a district has the sole power to appoint, employ, or terminate employees as may be necessary or, if no executive director has been appointed, then the president of the board has such powers. Provides that the president of the board of a forest preserve district shall not cancel an event occurring on forest preserve district property without the approval of the board, except in the case of preserving public safety or in the event of an emergency. Effective immediately.

LRB102 14643 AWJ 19996 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT 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 Sections 8 and 12 as follows:

6 (70 ILCS 805/8) (from Ch. 96 1/2, par. 6315)

7 Sec. 8. Powers and duties of corporate authority and
8 officers; contracts; salaries.

9 (a) The board shall be the corporate authority of such
10 forest preserve district and shall have power to pass and
11 enforce all necessary ordinances, rules and regulations for
12 the management of the property and conduct of the business of
13 such district. For forest preserve districts that do not
14 appoint an executive director to manage the day-to-day
15 operations of the forest preserve district, the ~~The~~ president
16 of such board shall have power to appoint, employ, or
17 terminate such employees as may be necessary. For forest
18 preserve districts that appoint an executive director to
19 manage the day-to-day operations of the forest preserve
20 district, the executive director has the sole power to
21 appoint, employ, or terminate employees as may be necessary.

22 In counties with population of less than 3,000,000, within 60
23 days after their selection the commissioners appointed under

1 the provisions of Section 3a of this Act shall organize by
2 selecting from their members a president, vice president,
3 secretary, treasurer and such other officers as are deemed
4 necessary who shall hold office for the fiscal year in which
5 elected and until their successors are selected and qualify.
6 In the one district in existence on July 1, 1977, that is
7 managed by an appointed board of commissioners, the incumbent
8 president and the other officers appointed in the manner as
9 originally prescribed in this Act shall hold such offices
10 until the completion of their respective terms or in the case
11 of the officers other than president until their successors
12 are appointed by said president, but in all cases not to extend
13 beyond January 1, 1980 and until their successors are selected
14 and qualify. Thereafter, the officers shall be selected in the
15 manner as prescribed in this Section except that their first
16 term of office shall not expire until June 30, 1981 and until
17 their successors are selected and qualify.

18 (a-5) An officer selected pursuant to subsection (a) may
19 be removed, with or without cause, upon a motion adopted by an
20 affirmative vote of four-fifths of the board of the forest
21 preserve district. Upon adoption of a motion to remove an
22 officer: (i) the office becomes vacant and the former
23 officer's compensation shall be prorated to the date the
24 motion was approved; (ii) if the officer removed is the
25 president then the vice president immediately assumes the
26 duties of the president without president compensation and, if

1 the officer removed is the vice president, treasurer, or
2 secretary, then the president shall select an interim
3 appointee who shall serve until the next regularly scheduled
4 forest preserve district board meeting; and (iii) a new
5 officer shall be selected at the next regularly scheduled
6 forest preserve district board meeting. An officer removed
7 under this Section maintains his or her status as a member of
8 the forest preserve district board.

9 (b) In any county, city, village, incorporated town or
10 sanitary district where the corporate authorities act as the
11 governing body of a forest preserve district, the person
12 exercising the powers of the president of the board shall have
13 power to appoint a secretary and an assistant secretary and
14 treasurer and an assistant treasurer and such other officers
15 and such employees as may be necessary. The assistant
16 secretary and assistant treasurer shall perform the duties of
17 the secretary and treasurer, respectively in case of death of
18 such officers or when such officers are unable to perform the
19 duties of their respective offices. All contracts for
20 supplies, material or work involving an expenditure in excess
21 of \$25,000, or a lower amount if required by board policy,
22 shall be let to the lowest responsible bidder, after
23 advertising at least once in one or more newspapers of general
24 circulation within the district, excepting work requiring
25 personal confidence or necessary supplies under the control of
26 monopolies, where competitive bidding is impossible. Contracts

1 for supplies, material or work involving an expenditure of
2 \$25,000, or a lower amount if required by board policy, or less
3 may be let without advertising for bids, but whenever
4 practicable, at least 3 competitive bids shall be obtained
5 before letting such contract. All contracts for supplies,
6 material or work shall be signed by the president of the board
7 of commissioners or by any such other officer as the board in
8 its discretion may designate.

9 (c) The president of any board of commissioners appointed
10 under the provisions of Section 3a of this Act shall receive a
11 salary not to exceed the sum of \$2500 per annum and the salary
12 of other members of the board so appointed shall not exceed
13 \$1500 per annum. Salaries of the commissioners, officers and
14 employees shall be fixed by ordinance.

15 (d) Whenever a forest preserve district owns any personal
16 property that, in the opinion of three-fifths of the members
17 of the board of commissioners, is no longer necessary, useful
18 to, or for the best interests of the forest preserve district,
19 then three-fifths of the members of the board, at any regular
20 meeting or any special meeting called for that purpose by an
21 ordinance or resolution that includes a general description of
22 the personal property, may authorize the conveyance or sale of
23 that personal property in any manner that they may designate,
24 with or without advertising the sale.

25 (Source: P.A. 101-544, eff. 8-23-19.)

1 (70 ILCS 805/12) (from Ch. 96 1/2, par. 6322)

2 Sec. 12. The president of the board of any district
3 organized hereunder, shall preside at all meetings of the
4 board, ~~be the executive officer of the district,~~ and be a
5 member of the board. The board may appoint an executive
6 director of the district and they may appoint the president of
7 the board as executive director of the district. The president
8 or executive director ~~He~~ shall sign all ordinances,
9 resolutions and other papers necessary to be signed and shall
10 execute all contracts entered into by the district and perform
11 other duties as may be prescribed by ordinance. The president
12 ~~He~~ may veto any ordinance and any orders, resolutions and
13 actions, or any items therein contained, of the board which
14 provide for the purchase of real estate, or for the
15 construction of improvements within the preserves of the
16 district. Such veto shall be filed with the secretary of the
17 board within 5 days after the passage of the ordinance, order,
18 resolution or action and when so vetoed the ordinance, order,
19 resolution or action or any item therein contained is not
20 effective unless it is again passed by two-thirds vote of all
21 the members of the board. The president may vote in the same
22 manner as the other members of the board. In the temporary
23 absence or inability of the president, the members of the
24 board may elect from their own number a president, pro tem.
25 Notwithstanding any other provision of law, the president of
26 the board shall not cancel an event occurring on forest

1 preserve district property without the approval of the board,
2 except in the case of preserving public safety or in the event
3 of an emergency. An event includes, but is not limited to, a
4 public or private event such as a gathering, festival,
5 convention, play, theatrical event, athletic contests, expose,
6 trade show, picnic, celebration, amusement, reenactment,
7 charitable event, commemoration, or any other event on forest
8 preserve district property.

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
13 a majority of all the members elected or appointed to the board
14 is necessary to the passage of any such ordinance or proposal.
15 In all other cases the "Yeas" and "Nays" shall be taken at the
16 request of any member of the board and shall be entered on the
17 journal of the board's proceedings.

18 A president that is an executive director on the effective
19 date of this amendatory Act of the 102nd General Assembly
20 shall remain the executive director until the conclusion of
21 the president's term of office or the board appoints another
22 individual as executive director, whichever is earlier, unless
23 the board reappoints the president as executive officer.

24 (Source: P.A. 91-933, eff. 12-30-00.)

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