

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.