

1 AN ACT to create the Local Legacy Act.

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

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

6 Section 5. Policy.

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

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

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

23 (d) It is the purpose of this Act to promote voluntary
24 county-municipal partnerships in every county by the year
25 2020 that will inventory resources, develop Resource
26 Protection Plans, and implement their respective plans.

27 Section 10. Definitions. In this Act:

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

30 "Committee" means a Local Steering Committee established

1 under this Act.

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

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

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

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

21 "Program" means the Local Legacy Program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 25 (a) Agriculture.
- 26 (b) Environment.
- 27 (c) Historic preservation.
- 28 (d) Construction or development.
- 29 (e) Citizen-at-large.

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

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

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

10 The Committee shall adopt its own rules of operation.

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

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

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

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

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

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

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

29 (30 ILCS 105/5.595 new)

30 Sec. 5.595. The Local Legacy Fund.