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09400HB0668ham001

LRB094 07518 AJO 40805 a

1 AMENDMENT TO HOUSE BILL 668

2 AMENDMENT NO. _____. Amend House Bill 668 on page 1 by
3 replacing lines 4 and 5 with the following:

4 "Section 5. The Conservation District Act is amended by
5 changing Sections 5, 13, and 15 as follows:

6 (70 ILCS 410/5) (from Ch. 96 1/2, par. 7105)

7 Sec. 5. Board of trustees.

8 (a) The affairs of a conservation district shall be managed
9 by a board which shall consist of 5 trustees, except as
10 otherwise provided in this Section. If the boundaries of the
11 district are coextensive with the boundaries of one county, the
12 trustees shall be residents of that county. If the district
13 embraces 2 counties, 3 trustees shall be residents of the
14 county with the larger population and 2 trustees shall be
15 residents of the other county. If the district embraces 3
16 counties, one trustee shall be a resident of the county with
17 the smallest population and each of the other counties shall
18 have 2 resident trustees. If the district embraces 4 counties,
19 2 trustees shall be residents of the county with the largest
20 population and each of the other counties shall have one
21 resident trustee. If the district embraces 5 counties, each
22 county shall have one resident trustee.

23 (b) A district that is entirely within a county of under
24 750,000 ~~300,000~~ inhabitants and contiguous to a county of more

1 than 2,000,000 inhabitants and that is authorized by referendum
2 as provided in subsection (d) of Section 15 to incur
3 indebtedness over 0.575% but not to exceed 1.725% shall have a
4 board consisting of 7 trustees, all of whom shall be residents
5 of the county. The additional 2 trustees shall be appointed by
6 the chairman of the county board, with the consent of the
7 county board, and shall hold office for terms expiring on June
8 30 as follows: one trustee after 4 years and one trustee after
9 5 years from the date of the referendum. Successor trustees
10 shall be appointed in the same manner no later than June 1
11 before the commencement of the term of the trustee.

12 (c) Trustees shall be qualified voters of such district who
13 do not hold any other public office and are not officers of any
14 political party. Trustees, if nominated by the county board
15 chairman as hereinafter provided, shall be selected on the
16 basis of their demonstrated interest in the purpose of
17 conservation districts.

18 (d) The chairman of the county board for the county of
19 which the trustee is a resident shall, with the consent of the
20 county board of that county, appoint the first trustees who
21 shall hold office for terms expiring on June 30 after one, 2,
22 3, 4, and 5 year periods respectively as determined and fixed
23 by lot. Thereafter, successor trustees shall be appointed in
24 the same manner no later than June 1 prior to the commencement
25 of term of the trustee.

26 (e) Each successor trustee shall serve for a term of 5
27 years. A vacancy occurring otherwise than by expiration of term
28 shall be filled for the unexpired term by appointment of a
29 trustee by the county board chairman of the county of which the
30 trustee shall be a resident, with the approval of the county
31 board of that county. A trustee who has served a full term of 5
32 years is ineligible to serve as a trustee for a period of one
33 year following the expiration of his term. When any trustee
34 during his term of office shall cease to be a bona fide

1 resident of the district he is disqualified as a trustee and
2 his office becomes vacant.

3 (f) Trustees shall serve without compensation, but may be
4 paid their actual and necessary expenses incurred in the
5 performance of their official duties.

6 (g) A trustee may be removed for cause by the county board
7 chairman for the county of which the trustee is a resident,
8 with the approval of the county board of that county, but every
9 such removal shall be by a written order, which shall be filed
10 with the county clerk.

11 (h) A conservation district with 5 trustees may determine
12 by majority vote of the board to increase the size of the board
13 to 7 trustees. With respect to a 7-member board, no more than 3
14 members may be residents of any township in a county under
15 township organization or of any congressional township in a
16 county not under township organization. In the case of a
17 7-member board representing a district that embraces 2
18 counties, 4 trustees shall be residents of the county with the
19 larger population and 3 trustees shall be residents of the
20 other county. If the district embraces 3 counties, 2 trustees
21 shall be residents of each of the 2 counties with the smallest
22 population and the largest county shall have 3 resident
23 trustees. If the district embraces 4 counties, one trustee
24 shall be a resident of the county with the smallest population
25 and each of the other counties shall have 2 resident trustees.
26 If the district embraces 5 counties, the 2 counties with the
27 largest population shall each have 2 resident trustees and each
28 of the other counties shall have one resident trustee. The
29 pertinent appointing authorities shall appoint the additional
30 2 trustees to initial terms as equally staggered as possible
31 from the terms of the trustees already appointed from that
32 township or county so that 2 trustees representing the same
33 area shall not be succeeded in the same year.

34 (Source: P.A. 90-195, eff. 7-24-97; 91-629, eff. 8-19-99.)

1 (70 ILCS 410/13) (from Ch. 96 1/2, par. 7114)

2 Sec. 13. The fiscal year of each district shall commence
3 April 1 and extend through the following March 31.

4 The board shall, within the first quarter of each fiscal
5 year, adopt a combined annual budget and appropriation
6 ordinance as provided in the Illinois Municipal Budget Law. In
7 a district located entirely within a county with a population
8 of less than 750,000 ~~300,000~~ that is contiguous to a county
9 with a population of more than 2,000,000, the district's
10 combined annual budget and appropriation ordinance shall not be
11 considered to be adopted until it is also adopted by resolution
12 of the county board of the county in which the district is
13 located.

14 Except as otherwise provided in this Act, a district may
15 annually levy taxes upon all the taxable property therein at
16 the value thereof, as equalized or assessed by the Department
17 of Revenue, to be extended at not more than the rates and for
18 the purposes specified hereinafter:

19 (1) 0.025% for the general purposes of the district,
20 including acquisition and development of real property
21 which may be in excess of current requirements and allowed
22 to accumulate from year to year, and for any purposes
23 specified by the district; however, no tax may be extended
24 at a rate that will result in accumulation of any amount
25 representing more than 0.075% of the equalized assessed
26 valuation of the district.

27 (2) 0.075% for acquisition of real property, which may
28 be in excess of current requirements and allowed to
29 accumulate from year to year, and for any purposes
30 specified by the district; however, no tax may be extended
31 at a rate that will result in accumulation of any amount
32 representing more than 0.25% of the equalized assessed
33 valuation of the district.

1 (3) 0.1%, in lieu of the two rates specified in (1) and
2 (2) above, for the general purposes of the district,
3 including the acquisition, development, operation and
4 maintenance of real property which may be in excess of
5 current requirements and allowed to accumulate from year to
6 year, and for any purposes specified by the district;
7 however, no tax may be extended at a rate that will result
8 in accumulation of any amount representing more than 0.325%
9 of the equalized assessed valuation of the district.

10 Except as provided in some other Act, a district may not
11 levy annual taxes, for all its purposes in the aggregate, in
12 excess of 0.1% of the value, as equalized or assessed by the
13 Department of Revenue, of the taxable property therein.

14 After the adoption of the combined budget and appropriation
15 ordinance and within the second quarter of each fiscal year,
16 the board shall ascertain the total amount of the
17 appropriations legally made which are to be provided for from
18 tax levies for the current year. Then, by an ordinance
19 specifying in detail the purposes for which such appropriations
20 have been made and the amounts appropriated for such purposes,
21 the board shall levy not to exceed the total amount so
22 ascertained upon all the property subject to taxation within
23 the district as the same is assessed and equalized for state
24 and county purposes for the current year. A certified copy of
25 such ordinance shall be filed on or before the first Tuesday in
26 October with the clerk of each county wherein the district or
27 any part thereof is located.

28 (Source: P.A. 91-629, eff. 8-19-99.)"