

SB2459



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2459

Introduced 2/15/2008, by Sen. Mike Jacobs

SYNOPSIS AS INTRODUCED:

20 ILCS 805/805-536 new

Amends the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. Provides that Conservation Police Officers have the powers of policemen throughout the State. Creates law enforcement divisions within the Department. Classifies positions. Creates a Conservation Police Merit Board to exercise jurisdiction over certification for appointment and promotion. Sets qualifications for officers. Contains other provisions.

LRB095 19703 RCE 46063 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by adding Section 805-536 as follows:

7 (20 ILCS 805/805-536 new)

8 Sec. 805-536. Conservation Police; Merit Board.

9 (a) Arrest powers. In addition to the arrest powers
10 prescribed by law, Conservation Police Officers are
11 conservators of the peace and as such have all powers possessed
12 by policemen, except that they may exercise those powers
13 anywhere in this State. Conservation Police Officers acting
14 under the authority of this Section are considered employees of
15 the Department and are subject to its direction, benefits, and
16 legal protection.

17 (b) Organization.

18 (1) The Department of Natural Resources, Office of Law
19 Enforcement shall maintain divisions as follows: the
20 Division of Operations; the Division of Investigations;
21 and the Division of Administration.

22 (2) The Department, by the Director, shall appoint
23 Conservation Police Officers as provided in this Section.

1 (3) Each Conservation Police Officer appointed by the
2 Director shall be classified within the following ranks:
3 Conservation Police Trainee, Conservation Police Officer
4 I, Conservation Police Officer II, Sergeant, Lieutenant,
5 Captain, or Deputy Chief. The Director shall also designate
6 the authority and responsibility for each rank of
7 Conservation Police Officer in the Department.

8 (c) Conservation Police Merit Board.

9 (1) The Governor shall appoint, by and with the advice
10 and consent of the Senate, a Conservation Police Merit
11 Board, hereinafter called the Board. The Board shall
12 consist of 5 members, no more than 3 of whom may be
13 affiliated with the same political party, and of which one
14 of them must represent the Conservation Police Lodge and
15 one of them must represent the Policemen's Benevolent Labor
16 Committee.

17 (2) The members appointed to represent the
18 Conservation Police Lodge and the Policemen's Benevolent
19 Labor Committee shall serve for a term of 6 years until
20 their successors are qualified and appointed for a like
21 term. Of the remaining members, one member shall serve
22 until the 3rd Monday in March 2010; one shall serve until
23 the 3rd Monday in March 2011; and one until the 3rd Monday
24 in March 2012, until their successors are appointed and
25 qualified. Upon expiration of these first terms, their
26 successors shall serve for a term of 6 years.

1 (3) In case of a vacancy in the office of any member of
2 the Board during the recess of the Senate, the Governor
3 shall make a temporary appointment until the next meeting
4 of the Senate, when he or she shall nominate some person to
5 fill such office; and any person so nominated, who is
6 confirmed by the Senate, shall hold his or her office
7 during the remainder of the term and until a successor
8 shall be appointed and qualified.

9 (4) Each member of the Board shall receive the sum of
10 \$125 per day for each day during which he or she is engaged
11 in transacting the business of the Board, or an amount set
12 by the Compensation Review Board, whichever is greater,
13 and, in addition thereto, his or her actual traveling and
14 other expenses necessarily incurred in discharging the
15 duties of office; provided no member of the Board shall
16 receive compensation for more than 100 days of work in any
17 one fiscal year.

18 (5) As soon as practical after the members of the Board
19 have been appointed, they shall meet and shall organize by
20 electing a chairman and a secretary. The initial chairman
21 and secretary, and their successors, shall be elected by
22 the Board from among its members for a term of 2 years or
23 for the remainder of their term of office as a member of
24 the Board, whichever is the shorter. Three members of the
25 Board shall constitute a quorum for the transaction of
26 business. The Board shall hold regular quarterly meetings

1 and such other meetings as may be called by the chairman.

2 (6) It is the policy of this Act that the Board shall
3 exercise its powers and duties in an independent manner,
4 subject to the provisions of this Act, and be free from the
5 direction, control, or influence of any other agency or
6 department of State government. All expenses and
7 liabilities incurred by the Board in the performance of its
8 responsibilities under this Act shall be paid from funds
9 that are appropriated to the Board by the General Assembly
10 for the ordinary and contingent expenses of the Board.

11 (7) The Board shall exercise jurisdiction over the
12 certification for appointment and promotion of
13 Conservation Police Officers. Pursuant to recognized merit
14 principles of public employment, the Board shall
15 formulate, adopt, and put into effect rules, regulations,
16 and procedures for its operation and the transaction of its
17 business. The Board shall establish a classification of
18 ranks of persons subject to its jurisdiction and shall set
19 standards and qualifications for each rank.

20 (d) Appointments, promotions, and qualifications.

21 (1) The appointment of Conservation Police Officers
22 shall be made from those applicants who have been certified
23 by the Board as being qualified for appointment.

24 (2) Any person hired by the Department of Natural
25 Resources after January 1, 2009 for a sworn law enforcement
26 position or position that has arrest authority must meet

1 the following minimum professional standards:

2 (A) All persons so appointed shall, at the time of
3 appointment, be not less than 21 years of age.

4 (B) All persons so certified for appointment shall
5 be of sound mind and body, be of good moral character,
6 be citizens of the United States, have no criminal
7 records, possess such prerequisites of training,
8 education, and experience as the Board may from time to
9 time prescribe, and be required to pass successfully
10 such mental and physical tests and examinations as may
11 be prescribed by the Board.

12 (C) At the time of hire, the person must hold (i) a
13 2-year college degree and 3 consecutive years of
14 experience as a police officer with the same law
15 enforcement agency or (ii) a 4-year college degree.

16 (D) The person must possess the skill level and
17 demonstrate the ability to swim at a competency level
18 not less than that established by the American Red
19 Cross for skills equivalent to an intermediate level
20 swimmer. The person's swimming competency level shall
21 be determined by the Board or other impartial entity
22 certified by the Board.

23 (E) Within one year of hire, the person must
24 successfully obtain certification as a police officer
25 under the standards in effect at that time unless that
26 person already holds that certification. Proof shall

1 be in the form of certification of successful
2 completion of an approved course from the Illinois
3 Local Government Training and Standards Board. No
4 waivers shall be accepted.

5 (F) The person must also successfully complete the
6 Conservation Police Academy training program,
7 consisting of not less than 400 hours of training,
8 within one year of hire.

9 The Board must adopt an administrative rule listing those
10 disciplines that qualify as directly related areas of study and
11 must also adopt, by listing, the American Red Cross standards
12 and testing points for a skill level equivalent to an
13 intermediate level swimmer.

14 (1) Preference shall be given in such appointments to
15 persons who have honorably served in the military or naval
16 services of the United States.

17 (2) All appointees shall serve a probationary period of
18 12 months from the date of appointment and during that
19 period may be discharged at the will of the Director.

20 (3) Promotions of Conservation Police Officers shall
21 be made by the Director from candidates who have been
22 certified as being qualified for promotion. The Board shall
23 make certifications for promotion on the basis of job
24 performance measurement, seniority, education, or written
25 or oral examinations. All vacancies in all ranks above the
26 lowest shall be filled by promotion.

1 (4) All appointments and promotions shall be made in
2 accordance with this Act and the rules and regulations of
3 the Board, without considering the political affiliation
4 of any applicant.

5 (e) Separation from service. No person hired after January
6 1, 2009 shall be retained in service as a Conservation Police
7 Officer after he or she has reached 60 years of age.