

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 also necessary to provide funding in the form  
24 of grants to counties and municipalities for the protection  
25 of their cultural resources, natural areas, and farmland  
26 through fee simple acquisition and conservation easements.

27 (e) It is the purpose of this Act to promote voluntary  
28 county-municipal partnerships in every county by the year  
29 2020 that will inventory resources, develop Resource  
30 Protection Plans, and implement their respective plans.

1 Section 10. Definitions. In this Act:

2 "Board" means the Local Legacy Board created under this  
3 Act.

4 "Committee" means a Local Steering Committee established  
5 under this Act.

6 "Cultural resource" means a structure, building,  
7 district, or site that has aesthetic, architectural,  
8 cultural, archeological, or historical significance at the  
9 local, state, or national level.

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

16 "Inventory" means a listing of a county's and its  
17 municipalities' natural areas, farmland, and cultural  
18 resources.

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

25 "Program" means the Local Legacy Program.

26 "Resource", unless otherwise specified, means farmland, a  
27 natural area, or a cultural resource.

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

33 Section 15. The Local Legacy Board. The Local Legacy

1 Board is created to administer the Program under this Act.  
2 The membership of the Board shall be composed of the Director  
3 of Natural Resources, the Director of Historic Preservation,  
4 and the Director of Agriculture, or their respective  
5 designees. The Board must choose a Chairperson to serve for  
6 2 years on a rotating basis. All members must be present for  
7 the Board to conduct official business. The Departments must  
8 each furnish technical support to the Board.

9 The Board has those powers necessary to carry out the  
10 purposes of this Act, including, without limitation, the  
11 power to:

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

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

16 (3) have an audit made of the accounts of any  
17 grantee or any person or entity that receives funding  
18 under this Act;

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

22 (5) prepare and submit a budget and request for  
23 appropriations for the necessary and contingent operating  
24 expenses of the Board; and

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

33 The Board must adopt any rules, regulations, guidelines,  
34 and directives necessary to implement the Act, including

1 guidelines for designing inventories so that they will be  
2 compatible with each other.

3 The Board must submit a report to the General Assembly  
4 and the Governor by January 1, 2003 and every 2 years  
5 thereafter regarding progress made towards accomplishing the  
6 purposes of this Act.

7 Section 20. Local Legacy Program. The Local Legacy  
8 Program is created. The Board shall determine the  
9 eligibility of county-municipal partnerships for funding  
10 under the Program. The purpose of the Program is to provide  
11 grants to counties and municipalities to (i) inventory their  
12 natural areas, farmland, and cultural resources; (ii) develop  
13 Resource Protection Plans; and (iii) acquire in fee simple,  
14 natural areas, cultural resources, or farmland identified in  
15 their Resource Protection Plans. To be eligible for an  
16 acquisition grant, a local government must adopt a Resource  
17 Protection Plan.

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

22 (1) Three members of the county board appointed by  
23 the county board chairperson with the advice and consent  
24 of the county board.

25 (2) Three elected municipal officials chosen by the  
26 corporate authorities of those municipalities  
27 participating in the county-municipal partnership.

28 (3) Five public members who reside within the  
29 county and are appointed by a majority vote of the county  
30 board members and elected municipal officials on the  
31 Local Steering Committee, with one each representing the  
32 following categories:

- 1 (a) Agriculture.
- 2 (b) Environment.
- 3 (c) Historic preservation.
- 4 (d) Construction or development.
- 5 (e) Citizen-at-large.

6 When the Committee is first established, one-third of the  
7 members of each category shall serve a term of one year;  
8 one-third shall serve a term of 2 years; and one-third shall  
9 serve a term of 3 years, except for the public members, one  
10 of whom will serve for one year, 2 of whom shall serve for 2  
11 years, and 2 of whom will serve for 3 years. All subsequent  
12 members shall serve for a term of 3 years. A vacancy shall  
13 be filled in the same manner as an original appointment.

14 The Chairperson shall be chosen for a term of 2 years  
15 from among the members of the Committee by a majority vote of  
16 the Committee; all members of the Committee including the  
17 Chairperson have a vote.

18 The Committee shall adopt its own rules of operation.

19 Section 30. Duties of the Local Steering Committee. The  
20 Local Steering Committee shall have the authority to apply  
21 for and receive grants to conduct an inventory and develop a  
22 Resource Protection Plan and to review all grant applications  
23 from units of local government before they are submitted to  
24 the Board.

25 The Local Steering Committee shall develop a strategy for  
26 conducting an inventory of natural areas, farmland, and  
27 cultural resources. The Committee shall determine which  
28 resources should be included in the inventory, the amount of  
29 financial and technical assistance needed from the State,  
30 what information is already available, who will conduct the  
31 inventory, how municipal and county efforts should be  
32 coordinated, and how to present the information so that it is  
33 compatible with inventories conducted by other

1 county-municipal partnerships.

2 The Committee shall use the inventory as the basis for  
3 developing its Resource Protection Plan. Working with a  
4 professional planner or other resource specialist, the  
5 Committee shall develop criteria for prioritizing resources  
6 identified by the inventory. When prioritizing resources,  
7 the Committee shall analyze the threat to the resources using  
8 population projections, land use patterns, and development  
9 trends. Upon the approval of two-thirds of its members, with  
10 at least one member from each of the 3 categories voting in  
11 approval, the Committee shall recommend that the county board  
12 and the municipalities within the county adopt the Resource  
13 Protection Plan. Amendments to the Resource Protection Plan  
14 must be approved in the same manner. A local government may  
15 object to all or part of the Resource Protection Plan in  
16 writing. If a written objection is filed with the Committee,  
17 the portion of the Plan objected to shall not be effective  
18 within that local government's borders. The objecting local  
19 government may modify or withdraw its objection at any time.

20 Only municipalities, counties, and other units of local  
21 government that have adopted the Plan are eligible for grants  
22 for fee simple acquisition. The Committee must screen (and  
23 accept or reject) all grant applications prior to submission  
24 to the Board.

25 Section 35. Local Legacy Fund. The Local Legacy Fund is  
26 created as a special fund in the State Treasury. Subject to  
27 appropriation, moneys shall be transferred into the Local  
28 Legacy Fund from the General Revenue Fund. All interest or  
29 other earnings that accrue from investment of the Local  
30 Legacy Fund moneys shall be credited to the Local Legacy  
31 Fund. The Local Legacy Fund shall be used by the Board to  
32 make grants to counties and municipalities for inventorying  
33 and planning and protecting farmland, natural areas, and

1 cultural resources through fee simple acquisition. Funds to  
2 preserve farmland may not involve the use of eminent domain.

3 In awarding grants for the implementation of Resource  
4 Protection Plans, the Board shall attempt to apportion funds  
5 evenly between the preservation of farmland, natural areas,  
6 and cultural resources.

7 Section 90. The State Finance Act is amended by adding  
8 Section 5.545 as follows:

9 (30 ILCS 105/5.545 new)

10 Sec. 5.545. The Local Legacy Fund.