

1 AN ACT relating to public utilities.

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

4 Section 5. The Public Utilities Act is amended by
5 changing Section 2-101 as follows:

6 (220 ILCS 5/2-101) (from Ch. 111 2/3, par. 2-101)

7 Sec. 2-101. Commerce Commission created. There is
8 created an Illinois Commerce Commission consisting of 5
9 members not more than 3 of whom shall be members of the same
10 political party at the time of appointment. The Governor
11 shall appoint the members of the such Commission by and with
12 the advice and consent of the Senate. In case of a vacancy
13 in such office during the recess of the Senate the Governor
14 shall make a temporary appointment until the next meeting of
15 the Senate, when he shall nominate some person to fill such
16 office; and any person so nominated who is confirmed by the
17 Senate, shall hold his office during the remainder of the
18 term and until his successor shall be appointed and
19 qualified. Each member of the Commission shall hold office
20 for a term of 5 years from the third Monday in January of the
21 year in which his predecessor's term expires.

22 Notwithstanding any provision of this Section to the
23 contrary, the term of office of each member of the Commission
24 is terminated on the effective date of this amendatory Act of
25 1995, but the incumbent members shall continue to exercise
26 all of the powers and be subject to all of the duties of
27 members of the Commission until their respective successors
28 are appointed and qualified. Of the members initially
29 appointed under the provisions of this amendatory Act of
30 1995, one member shall be appointed for a term of office
31 which shall expire on the third Monday of January, 1997; 2

1 members shall be appointed for terms of office which shall
2 expire on the third Monday of January, 1998; one member shall
3 be appointed for a term of office which shall expire on the
4 third Monday of January, 1999; and one member shall be
5 appointed for a term of office which shall expire on the
6 third Monday of January, 2000. Each respective successor
7 shall be appointed for a term of 5 years from the third
8 Monday of January of the year in which his predecessor's term
9 expires in accordance with the provisions of the first
10 paragraph of this Section.

11 Each member shall serve until his successor is appointed
12 and qualified, except that if the Senate refuses to consent
13 to the appointment of any member, such office shall be deemed
14 vacant, and within 2 weeks of the date the Senate refuses to
15 consent to the reappointment of any member, such member shall
16 vacate such office. The Governor shall from time to time
17 designate the member of the Commission who shall be its
18 chairman. Consistent with the provisions of this Act, the
19 Chairman shall be the chief executive officer of the
20 Commission for the purpose of ensuring that the Commission's
21 policies are properly executed.

22 If there is no vacancy on the Commission, 4 members of
23 the Commission shall constitute a quorum to transact
24 business; otherwise, a majority of the Commission shall
25 constitute a quorum to transact business, and no vacancy
26 shall impair the right of the remaining commissioners to
27 exercise all of the powers of the Commission. Every finding,
28 order, or decision approved by a majority of the members of
29 the Commission shall be deemed to be the finding, order, or
30 decision of the Commission.

31 (Source: P.A. 92-22, eff. 6-30-01.)