



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB3843

Introduced 2/25/2005, by Rep. Dan Brady

SYNOPSIS AS INTRODUCED:

70 ILCS 5/3.1

from Ch. 15 1/2, par. 68.3a

Amends the Airport Authorities Act. Provides, with respect to the appointment of boards of commissioners for airport authorities, that if an authority has 2 or more municipalities each with a population of 5,000 or more within the authority, then each municipality shall appoint one commissioner and the county board president in the county in which the airport authority is located shall appoint, with the advice and consent of the county board, 3 (now, 2) commissioners at large (now, one commissioner is appointed from areas outside of the municipalities that each have a population of 5,000 or more). Deletes a requirement that a commissioner representing the area within an authority that is located outside of municipalities of that size shall reside within the area.

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FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning local government.

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

4 Section 5. The Airport Authorities Act is amended by
5 changing Section 3.1 as follows:

6 (70 ILCS 5/3.1) (from Ch. 15 1/2, par. 68.3a)

7 Sec. 3.1. Boards of commissioners - Appointment. The Boards
8 of Commissioners of Authorities shall be appointed as follows:

9 (1) In case there are one or more municipalities having a
10 population of 5,000 or more within the Authority, the
11 commissioners shall be appointed as follows:

12 (a) Where there is only one such municipality, 3
13 commissioners shall be appointed from such municipality,
14 and 2 commissioners shall be appointed at large.

15 (b) Where there are 2 or more such municipalities, one
16 commissioner shall be appointed from each such
17 municipality, ~~one commissioner shall be appointed from the~~
18 ~~areas within the authority located outside of such~~
19 ~~municipalities,~~ and 3 ~~2~~ commissioners shall be appointed at
20 large; except that when the physical facilities of the
21 airport of the Authority are located wholly within a single
22 county with a population between 600,000 and 3,000,000
23 there shall be one commissioner appointed from each
24 municipality within the corporate limits of the Authority
25 having 5,000 or more population and 5 commissioners
26 appointed at large. If the Authority is located wholly
27 within the corporate limits of such municipalities, 2
28 commissioners shall be appointed from the one of such
29 municipalities having the largest population, and one
30 commissioner shall be appointed from each of the other such
31 municipalities, and 2 commissioners shall be appointed at
32 large.

1 (c) Commissioners representing the area within an
2 Authority located outside of any municipality having 5,000
3 or more population and commissioners appointed at large
4 when the authority is wholly contained within a single
5 county shall be appointed by the presiding officer of the
6 county board with the advice and consent of the county
7 board, and when the physical facilities of the airport of
8 the Authority are located wholly within a single county
9 with a population between 600,000 and 3,000,000 the
10 commissioners appointed at large shall be appointed by the
11 chairman of the county board of such county, and any
12 commissioner representing the area within any such
13 municipality shall be appointed by its mayor or the
14 presiding officer of its governing body. If however the
15 district is located in more than one county other than a
16 county with a population between 600,000 and 3,000,000, the
17 members of the General Assembly whose legislative
18 districts encompass any portion of the Authority shall
19 appoint the commissioners representing the area within an
20 Authority located outside of any municipality having 5,000
21 or more population and commissioners at large but any
22 commissioner representing the area within any such
23 municipality shall be appointed by its mayor or the
24 presiding officer of its governing body.

25 (d) A commissioner representing the area within any
26 such municipality shall reside within its corporate
27 limits. ~~A commissioner representing the area within an~~
28 ~~authority and located outside of any such municipality~~
29 ~~shall reside within such area.~~ A commissioner appointed at
30 large may reside either within or without any such
31 municipality but must reside within the territory of the
32 authority. Should any commissioner cease to reside within
33 that part of the territory he represents, or should the
34 territory in which he resides cease to be a part of the
35 authority, then his office shall be deemed vacated, and
36 shall be filled by appointment for the remainder of the

1 term as hereinafter provided.

2 (2) In case there are no municipalities having a population
3 of 5,000 or more within such authority located wholly within a
4 single county, such order shall so find, and in such case the
5 Board shall consist of 5 commissioners who shall be appointed
6 at large by the presiding officer of the county board with the
7 advice and consent of the county board. If however the district
8 is located in more than one county, the members of the General
9 Assembly whose legislative districts encompass any portion of
10 the Authority shall appoint the commissioners at large.

11 (3) Should a municipality which is wholly within an
12 authority attain, or should such a municipality be established,
13 having a population of 5,000 or more after the entry of said
14 order by the circuit court, the presiding officer of such
15 municipality may petition the circuit court for an order
16 finding and determining the population of such municipality
17 and, if it is found and determined upon the hearing of said
18 petition that the population of such municipality is 5,000 or
19 more, the board of commissioners of such authority as
20 previously established shall be increased by one commissioner
21 who shall reside within the corporate limits of such
22 municipality and shall be appointed by its presiding officer.
23 The initial commissioner so appointed shall serve for a term of
24 1, 2, 3, 4 or 5 years, as may be determined by lot, and his
25 successors shall be similarly appointed and shall serve for
26 terms of 5 years. All provisions of this section applicable to
27 commissioners representing municipal areas shall apply to any
28 such commissioner. Each such commissioner shall reside within
29 the authority and shall continue to reside therein.

30 (4) Notwithstanding any other provision of this Section,
31 the Board of Commissioners of a Metropolitan Airport Authority
32 shall consist of 9 commissioners.

33 Seven commissioners shall be residents of the county with a
34 population between 600,000 and 3,000,000 within which the
35 Metropolitan Airport Authority was established. These
36 commissioners shall be appointed by the county board chairman

1 of the county with a population between 600,000 and 3,000,000
2 within which the Metropolitan Airport Authority was
3 established, with the advice and consent of the county board of
4 that county.

5 Two commissioners shall be residents of the territory of
6 the Authority located outside the county with a population
7 between 600,000 and 3,000,000. These commissioners shall be
8 appointed jointly by the mayors of the municipalities having a
9 population over 5,000 that are located outside the county with
10 a population between 600,000 and 3,000,000, with the advice and
11 consent of the governing bodies of those municipalities.

12 The transition from the pre-existing composition of the
13 Metropolitan Airport Authority Board of Commissioners to the
14 composition specified in this amendatory Act of 1991 shall be
15 accomplished as follows:

16 (A) The appointee who was required to be a resident
17 of the area outside of the county with a population
18 between 600,000 and 3,000,000 may serve until his or
19 her term expires. The replacement shall be one of the 2
20 appointees who shall be residents of the territory of
21 the Authority located outside the county with a
22 population between 600,000 and 3,000,000.

23 (B) The other 8 commissioners may serve until their
24 terms expire. Upon the occurrence of the second vacancy
25 among these 8 commissioners after the effective date of
26 this amendatory Act of 1991, the replacement shall be
27 the second of the 2 appointees who shall be residents
28 of the territory of the Authority located outside of
29 the county with a population between 600,000 and
30 3,000,000. Upon the expiration of the terms of the
31 other 7 commissioners, the replacements shall be
32 residents of the county with a population between
33 600,000 and 3,000,000.

34 (C) All commissioners appointed after the
35 effective date of this amendatory Act of 1991, and
36 their successors, shall be appointed in the manner set

1 forth in this amendatory Act of 1991.

2 (Source: P.A. 87-699.)