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09500HB1343ham002

LRB095 09127 MJR 33748 a

1 AMENDMENT TO HOUSE BILL 1343

2 AMENDMENT NO. _____. Amend House Bill 1343, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

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

7 (220 ILCS 5/2-101) (from Ch. 111 2/3, par. 2-101)

8 Sec. 2-101. Commerce Commission created. There is created
9 an Illinois Commerce Commission consisting of 5 members not
10 more than 3 of whom shall be members of the ~~the~~ same political
11 party at the time of appointment. The Governor shall appoint
12 the members of such Commission by and with the advice and
13 consent of the Senate. In case of a vacancy in such office
14 during the recess of the Senate the Governor shall make a
15 temporary appointment until the next meeting of the Senate,
16 when he shall nominate some person to fill such office; and any

1 person so nominated who is confirmed by the Senate, shall hold
2 his office during the remainder of the term and until his
3 successor shall be appointed and qualified. Each member of the
4 Commission shall hold office for a term of 5 years from the
5 third Monday in January of the year in which his predecessor's
6 term expires.

7 Notwithstanding any provision of this Section to the
8 contrary, the term of office of each member of the Commission
9 is terminated on the effective date of this amendatory Act of
10 1995, but the incumbent members shall continue to exercise all
11 of the powers and be subject to all of the duties of members of
12 the Commission until their respective successors are appointed
13 and qualified. Of the members initially appointed under the
14 provisions of this amendatory Act of 1995, one member shall be
15 appointed for a term of office which shall expire on the third
16 Monday of January, 1997; 2 members shall be appointed for terms
17 of office which shall expire on the third Monday of January,
18 1998; one member shall be appointed for a term of office which
19 shall expire on the third Monday of January, 1999; and one
20 member shall be appointed for a term of office which shall
21 expire on the third Monday of January, 2000. Each respective
22 successor shall be appointed for a term of 5 years from the
23 third Monday of January of the year in which his predecessor's
24 term expires in accordance with the provisions of the first
25 paragraph of this Section.

26 Each member shall serve until his successor is appointed

1 and qualified, except that if the Senate refuses to consent to
2 the appointment of any member, such office shall be deemed
3 vacant, and within 2 weeks of the date the Senate refuses to
4 consent to the reappointment of any member, such member shall
5 vacate such office. The Governor shall from time to time
6 designate the member of the Commission who shall be its
7 chairman. Consistent with the provisions of this Act, the
8 Chairman shall be the chief executive officer of the Commission
9 for the purpose of ensuring that the Commission's policies are
10 properly executed.

11 If there is no vacancy on the Commission, 4 members of the
12 Commission shall constitute a quorum to transact business;
13 otherwise, a majority of the Commission shall constitute a
14 quorum to transact business, and no vacancy shall impair the
15 right of the remaining commissioners to exercise all of the
16 powers of the Commission. Every finding, order, or decision
17 approved by a majority of the members of the Commission shall
18 be deemed to be the finding, order, or decision of the
19 Commission.

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