

SB0038



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0038

Introduced 1/31/2007, by Sen. Bill Brady

SYNOPSIS AS INTRODUCED:

70 ILCS 5/3.1

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

Amends the Airport Authorities Act. Provides that one additional commissioner shall be appointed to the board of the Bloomington-Normal Airport Authority from each municipality having a population of 5,000 or more within the Authority. Sets forth the terms of the additional commissioners.

LRB095 00366 HLH 24528 b

A BILL FOR

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 and 3 commissioners shall be appointed at
18 large; except that when the physical facilities of the
19 airport of the Authority are located wholly within a single
20 county with a population between 600,000 and 3,000,000
21 there shall be one commissioner appointed from each
22 municipality within the corporate limits of the Authority
23 having 5,000 or more population and 5 commissioners

1 appointed at large. If the Authority is located wholly
2 within the corporate limits of such municipalities, 2
3 commissioners shall be appointed from the one of such
4 municipalities having the largest population, and one
5 commissioner shall be appointed from each of the other such
6 municipalities, and 2 commissioners shall be appointed at
7 large.

8 (b-5) Within 30 days after the effective date of this
9 amendatory Act of the 95th General Assembly, one additional
10 commissioner shall be appointed to the board of the
11 Bloomington-Normal Airport Authority from each
12 municipality having a population of 5,000 or more within
13 the Authority. The additional commissioners shall serve
14 for a term of 4 or 5 years, as determined by lot. Their
15 successors shall serve terms of 5 years.

16 (c) Commissioners representing the area within an
17 Authority located outside of any municipality having 5,000
18 or more population and commissioners appointed at large
19 when the authority is wholly contained within a single
20 county shall be appointed by the presiding officer of the
21 county board with the advice and consent of the county
22 board, and when the physical facilities of the airport of
23 the Authority are located wholly within a single county
24 with a population between 600,000 and 3,000,000 the
25 commissioners appointed at large shall be appointed by the
26 chairman of the county board of such county, and any

1 commissioner representing the area within any such
2 municipality shall be appointed by its mayor or the
3 presiding officer of its governing body. If however the
4 district is located in more than one county other than a
5 county with a population between 600,000 and 3,000,000, the
6 members of the General Assembly whose legislative
7 districts encompass any portion of the Authority shall
8 appoint the commissioners representing the area within an
9 Authority located outside of any municipality having 5,000
10 or more population and commissioners at large but any
11 commissioner representing the area within any such
12 municipality shall be appointed by its mayor or the
13 presiding officer of its governing body.

14 (d) A commissioner representing the area within any
15 such municipality shall reside within its corporate
16 limits. A commissioner appointed at large may reside either
17 within or without any such municipality but must reside
18 within the territory of the authority. Should any
19 commissioner cease to reside within that part of the
20 territory he represents, or should the territory in which
21 he resides cease to be a part of the authority, then his
22 office shall be deemed vacated, and shall be filled by
23 appointment for the remainder of the term as hereinafter
24 provided.

25 (2) In case there are no municipalities having a population
26 of 5,000 or more within such authority located wholly within a

1 single county, such order shall so find, and in such case the
2 Board shall consist of 5 commissioners who shall be appointed
3 at large by the presiding officer of the county board with the
4 advice and consent of the county board. If however the district
5 is located in more than one county, the members of the General
6 Assembly whose legislative districts encompass any portion of
7 the Authority shall appoint the commissioners at large.

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

1 (4) Notwithstanding any other provision of this Section,
2 the Board of Commissioners of a Metropolitan Airport Authority
3 shall consist of 9 commissioners.

4 Seven commissioners shall be residents of the county with a
5 population between 600,000 and 3,000,000 within which the
6 Metropolitan Airport Authority was established. These
7 commissioners shall be appointed by the county board chairman
8 of the county with a population between 600,000 and 3,000,000
9 within which the Metropolitan Airport Authority was
10 established, with the advice and consent of the county board of
11 that county.

12 Two commissioners shall be residents of the territory of
13 the Authority located outside the county with a population
14 between 600,000 and 3,000,000. These commissioners shall be
15 appointed jointly by the mayors of the municipalities having a
16 population over 5,000 that are located outside the county with
17 a population between 600,000 and 3,000,000, with the advice and
18 consent of the governing bodies of those municipalities.

19 The transition from the pre-existing composition of the
20 Metropolitan Airport Authority Board of Commissioners to the
21 composition specified in this amendatory Act of 1991 shall be
22 accomplished as follows:

23 (A) The appointee who was required to be a resident of
24 the area outside of the county with a population between
25 600,000 and 3,000,000 may serve until his or her term
26 expires. The replacement shall be one of the 2 appointees

1 who shall be residents of the territory of the Authority
2 located outside the county with a population between
3 600,000 and 3,000,000.

4 (B) The other 8 commissioners may serve until their
5 terms expire. Upon the occurrence of the second vacancy
6 among these 8 commissioners after the effective date of
7 this amendatory Act of 1991, the replacement shall be the
8 second of the 2 appointees who shall be residents of the
9 territory of the Authority located outside of the county
10 with a population between 600,000 and 3,000,000. Upon the
11 expiration of the terms of the other 7 commissioners, the
12 replacements shall be residents of the county with a
13 population between 600,000 and 3,000,000.

14 (C) All commissioners appointed after the effective
15 date of this amendatory Act of 1991, and their successors,
16 shall be appointed in the manner set forth in this
17 amendatory Act of 1991.

18 (Source: P.A. 94-466, eff. 1-1-06.)