



Executive Committee

Filed: 5/12/2009

09600SB0246ham001

LRB096 07880 RLJ 26259 a

1 AMENDMENT TO SENATE BILL 246

2 AMENDMENT NO. _____. Amend Senate Bill 246 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Water District Act is amended by
5 changing Section 4 as follows:

6 (70 ILCS 3705/4) (from Ch. 111 2/3, par. 191)

7 Sec. 4. A board of trustees consisting of 7 members for the
8 government, control and management of the affairs of the
9 business of each such water district organized under this Act
10 shall be created in the following manner:

11 (1) If the district lies wholly within a single township
12 but does not also lie wholly within a municipality, the board
13 of trustees of that township shall appoint the trustees for the
14 district but no voting member of the township board is eligible
15 for such appointment;

16 (2) If the district is wholly contained within a

1 municipality, the governing body of the municipality shall
2 appoint the trustees for the district;

3 (3) If the district is wholly contained within a single
4 county, the trustees for the district shall be appointed by the
5 presiding officer of the county board with the advice and
6 consent of the county board;

7 (4) If the district is located in more than one county, the
8 number of trustees who are residents of a county shall be in
9 proportion, as nearly as practicable, to the number of
10 residents of the district who reside in that county in relation
11 to the total population of the district. Trustees shall be
12 appointed by the county board of their respective counties, or
13 in the case of a home rule county as defined by Article VII,
14 Section 6 of the Constitution of 1970, by the chief executive
15 officer of that county with the advice and consent of the
16 county board.

17 Upon the expiration of the term of a trustee who is in
18 office on the effective date of this Amendatory Act of 1975,
19 the successor shall be a resident of whichever county is
20 entitled to such representation in order to bring about the
21 proportional representation required herein, and he shall be
22 appointed by the appointing authority of that county.

23 Thereafter, each trustee shall be succeeded by a resident
24 of the same county who shall be appointed by the same
25 appointing authority; however, the provisions of the preceding
26 paragraph shall apply to the appointment of the successor to

1 each trustee who is in office at the time of the publication of
2 each decennial Federal census of population.

3 Within 60 days after the adoption of this Act as provided
4 in Section 2 hereof, the appropriate appointing authority shall
5 appoint 7 trustees who shall hold that office respectively one
6 for one, one for 2, one for 3, 2 for 4 and 2 for 5 years from
7 the first Monday of May next after their appointment as
8 designated by the appointing authority at the time of
9 appointment and until their successors are appointed and have
10 qualified. Thereafter on or after the first Monday in May of
11 each year the appointing authority shall appoint successors
12 whose term shall be for 5 years commencing the first Monday in
13 May of the year they are respectively appointed. If the circuit
14 court finds that the size, number of members, and scale of
15 operations of the water district justifies a Board of Trustees
16 of less than 7 members he shall rule that such board shall have
17 3 or 5 members. Initial appointments to a 3 member board shall
18 be as follows: one for one, one for 2, and one for 3 years.
19 Initial appointments to a 5 member board shall be as follows:
20 one for one, one for 2, one for 3, one for 4 and one for 5
21 years. In each such case the term of office and method of
22 appointing successors shall be as provided in this Section for
23 7 member boards. The appointing authority shall require each of
24 such trustees to enter a bond with security to be approved by
25 the appointing authority in such sum as such appointing
26 authority may determine. A majority of the Board of Trustees

1 shall constitute a quorum, but a smaller number may adjourn
2 from day to day. No trustee or employee of such district shall
3 be directly or indirectly interested in any contract, work or
4 business of the district or the sale of any article, the
5 expense, price or consideration of which is paid by such
6 district, nor in the purchase of any real estate or property
7 for or belonging to the district.

8 Whenever a vacancy in such board of trustees shall occur
9 either from death, resignation, refusal to qualify or for any
10 other reason the appointing authority shall have power to fill
11 such vacancy by appointment. Such persons so appointed or
12 qualified for office in the manner hereinbefore stated shall
13 thereupon assume the duties of the office for the unexpired
14 term for which such person was appointed.

15 For terms commencing before the effective date of this
16 amendatory Act of the 96th General Assembly, the ~~The~~ trustees
17 appointed under this Act shall be paid a sum of not to exceed
18 \$600 per annum for their respective duties as trustees, except
19 that trustees of a district with an annual operating budget of
20 \$1,000,000 or more may be paid a sum not to exceed \$1,000 per
21 annum. For terms commencing on or after the effective date of
22 this amendatory Act of the 96th General Assembly, the trustees
23 shall be paid a sum of not to exceed \$1,200 per annum. However,
24 trustees appointed under this Act for any public water district
25 which acquires by purchase or condemnation, or constructs, and
26 maintains and operates sewerage properties in combination with

1 its waterworks properties, under the provisions of Section 23a
2 of this Act, shall be paid a sum of not to exceed \$2,000 per
3 annum for their respective duties as trustees. Compensation in
4 either case shall be determined by resolution of the respective
5 boards of trustees, to be adopted annually at their first
6 meeting in May.

7 Any public water district organized under this Act with a
8 board of trustees consisting of 7 members may have the size of
9 its board reduced as provided in Section 4.1.

10 (Source: P.A. 91-333, eff. 1-1-00.)".