



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5454

by Rep. Raymond Poe

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-135-2

from Ch. 24, par. 11-135-2

Amends the Illinois Municipal Code. Provides that each water commissioner shall receive the same compensation that shall be determined by the water commission (currently, the appointing authority).

LRB098 17161 JLK 52248 b

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 Illinois Municipal Code is amended by
5 changing Section 11-135-2 as follows:

6 (65 ILCS 5/11-135-2) (from Ch. 24, par. 11-135-2)

7 Sec. 11-135-2. Upon the adoption of such an ordinance or
8 resolution by the corporate authorities of any such
9 municipality, the mayor or president, with the approval of the
10 corporate authorities, shall appoint a commissioner. If under
11 Section 11-135-3 a water commission meets the participatory
12 requirements, that water commission shall appoint a
13 commissioner. The commissioners so appointed by each of such
14 municipalities and participatory water commissions together
15 with a like commissioner appointed by the presiding officer of
16 the county board with the advice and consent of the county
17 board of the county in which the major part of the works of the
18 water commission are, or are to be, located, shall constitute a
19 commission and public corporation with the powers and duties
20 specified in this Division 135. The corporate name of the
21 commission shall be "(here insert an appropriate name
22 indicative of the area) Water Commission" and as such the
23 Commission may contract and be contracted with, and sue and be

1 sued.

2 The commissioners so appointed shall serve for a term of 6
3 years, or until their successors have been appointed and have
4 qualified in the same manner as the original appointments,
5 except that the commissioners first appointed shall determine
6 by lot at their first meeting the respective commissioners
7 whose terms shall be for 2, 4 and 6 years from the date of that
8 meeting. Each commissioner appointed by a mayor or president
9 shall be an elector or the chief administrator of the
10 municipality for which he acts as commissioner, and the
11 commissioner appointed by the presiding officer of the county
12 board shall be an elector of the county in which the major
13 works of the water commission are, or are to be, located. Any
14 commissioner so appointed may be a member of the governing
15 board or officer or employee of the municipality or county from
16 which the appointment is made. A commissioner is eligible for
17 reappointment upon the expiration of his term. A vacancy shall
18 be filled for the balance of the unexpired term of the person
19 who has ceased to hold office by the mayor, president or county
20 board presiding officer who initially made such appointment in
21 the same manner as the original appointment. Each commissioner
22 shall receive the same compensation, as determined by the
23 commission ~~appointing authority~~, which shall not be more than
24 \$2,000 per year, except that no commissioner who is a member of
25 the governing board or officer of the municipality or county
26 from which the appointment is made may receive any compensation

1 for serving as commissioner. Each commissioner shall furnish a
2 bond for the faithful performance of his official duties. This
3 bond shall not be less than \$5,000 and its costs shall be paid
4 by the commission.

5 Each commissioner may be removed for any cause for which
6 any other municipal officer may be removed. No commissioner, or
7 employee of the commission, and no mayor, or president, or
8 other member of the corporate authorities, or any employee of
9 any of the municipalities, shall be interested directly or
10 indirectly in any contract or job of work or materials, or the
11 profits thereof, or services to be performed for or by the
12 commission.

13 A violation of any of the foregoing provisions of this
14 section is a Class C misdemeanor. A conviction is cause for the
15 removal of a person from his office or employment.

16 (Source: P.A. 90-517, eff. 8-22-97; 91-659, eff. 12-22-99.)