



Rep. Raymond Poe

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09800HB5454ham001

LRB098 17161 JLK 57264 a

1 AMENDMENT TO HOUSE BILL 5454

2 AMENDMENT NO. _____. Amend House Bill 5454 by replacing
3 everything after the enacting clause with the following:

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

1 board of the county in which the major part of the works of the
2 water commission are, or are to be, located, shall constitute a
3 commission and public corporation with the powers and duties
4 specified in this Division 135. The corporate name of the
5 commission shall be "(here insert an appropriate name
6 indicative of the area) Water Commission" and as such the
7 Commission may contract and be contracted with, and sue and be
8 sued.

9 The commissioners so appointed shall serve for a term of 6
10 years, or until their successors have been appointed and have
11 qualified in the same manner as the original appointments,
12 except that the commissioners first appointed shall determine
13 by lot at their first meeting the respective commissioners
14 whose terms shall be for 2, 4 and 6 years from the date of that
15 meeting. Each commissioner appointed by a mayor or president
16 shall be an elector or the chief administrator of the
17 municipality for which he acts as commissioner, and the
18 commissioner appointed by the presiding officer of the county
19 board shall be an elector of the county in which the major
20 works of the water commission are, or are to be, located. Any
21 commissioner so appointed may be a member of the governing
22 board or officer or employee of the municipality or county from
23 which the appointment is made. A commissioner is eligible for
24 reappointment upon the expiration of his term. A vacancy shall
25 be filled for the balance of the unexpired term of the person
26 who has ceased to hold office by the mayor, president or county

1 board presiding officer who initially made such appointment in
2 the same manner as the original appointment. Each commissioner
3 shall receive the same compensation, as determined by a
4 majority of the appointing authorities ~~the appointing~~
5 ~~authority~~, which shall not be more than \$2,000 per year, except
6 that no commissioner who is a member of the governing board or
7 officer of the municipality or county from which the
8 appointment is made may receive any compensation for serving as
9 commissioner. Each commissioner shall furnish a bond for the
10 faithful performance of his official duties. This bond shall
11 not be less than \$5,000 and its costs shall be paid by the
12 commission.

13 Each commissioner may be removed for any cause for which
14 any other municipal officer may be removed. No commissioner, or
15 employee of the commission, and no mayor, or president, or
16 other member of the corporate authorities, or any employee of
17 any of the municipalities, shall be interested directly or
18 indirectly in any contract or job of work or materials, or the
19 profits thereof, or services to be performed for or by the
20 commission.

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

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