

1 AMENDMENT TO HOUSE BILL 469

2 AMENDMENT NO. _____. Amend House Bill 469 by replacing
3 the title with the following:

4 "AN ACT in relation to stormwater management."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Property Tax Code is amended by changing
8 Section 18-185 as follows:

9 (35 ILCS 200/18-185)

10 Sec. 18-185. Short title; definitions. This Division 5
11 may be cited as the Property Tax Extension Limitation Law.
12 As used in this Division 5:

13 "Consumer Price Index" means the Consumer Price Index for
14 All Urban Consumers for all items published by the United
15 States Department of Labor.

16 "Extension limitation" means (a) the lesser of 5% or the
17 percentage increase in the Consumer Price Index during the
18 12-month calendar year preceding the levy year or (b) the
19 rate of increase approved by voters under Section 18-205.

20 "Affected county" means a county of 3,000,000 or more
21 inhabitants or a county contiguous to a county of 3,000,000

1 or more inhabitants.

2 "Taxing district" has the same meaning provided in
3 Section 1-150, except as otherwise provided in this Section.
4 For the 1991 through 1994 levy years only, "taxing district"
5 includes only each non-home rule taxing district having the
6 majority of its 1990 equalized assessed value within any
7 county or counties contiguous to a county with 3,000,000 or
8 more inhabitants. Beginning with the 1995 levy year, "taxing
9 district" includes only each non-home rule taxing district
10 subject to this Law before the 1995 levy year and each
11 non-home rule taxing district not subject to this Law before
12 the 1995 levy year having the majority of its 1994 equalized
13 assessed value in an affected county or counties. Beginning
14 with the levy year in which this Law becomes applicable to a
15 taxing district as provided in Section 18-213, "taxing
16 district" also includes those taxing districts made subject
17 to this Law as provided in Section 18-213.

18 "Aggregate extension" for taxing districts to which this
19 Law applied before the 1995 levy year means the annual
20 corporate extension for the taxing district and those special
21 purpose extensions that are made annually for the taxing
22 district, excluding special purpose extensions: (a) made for
23 the taxing district to pay interest or principal on general
24 obligation bonds that were approved by referendum; (b) made
25 for any taxing district to pay interest or principal on
26 general obligation bonds issued before October 1, 1991; (c)
27 made for any taxing district to pay interest or principal on
28 bonds issued to refund or continue to refund those bonds
29 issued before October 1, 1991; (d) made for any taxing
30 district to pay interest or principal on bonds issued to
31 refund or continue to refund bonds issued after October 1,
32 1991 that were approved by referendum; (e) made for any
33 taxing district to pay interest or principal on revenue bonds
34 issued before October 1, 1991 for payment of which a property

1 tax levy or the full faith and credit of the unit of local
2 government is pledged; however, a tax for the payment of
3 interest or principal on those bonds shall be made only after
4 the governing body of the unit of local government finds that
5 all other sources for payment are insufficient to make those
6 payments; (f) made for payments under a building commission
7 lease when the lease payments are for the retirement of bonds
8 issued by the commission before October 1, 1991, to pay for
9 the building project; (g) made for payments due under
10 installment contracts entered into before October 1, 1991;
11 (h) made for payments of principal and interest on bonds
12 issued under the Metropolitan Water Reclamation District Act
13 to finance construction projects initiated before October 1,
14 1991; (i) made for payments of principal and interest on
15 limited bonds, as defined in Section 3 of the Local
16 Government Debt Reform Act, in an amount not to exceed the
17 debt service extension base less the amount in items (b),
18 (c), (e), and (h) of this definition for non-referendum
19 obligations, except obligations initially issued pursuant to
20 referendum; (j) made for payments of principal and interest
21 on bonds issued under Section 15 of the Local Government Debt
22 Reform Act; and (k) made by a school district that
23 participates in the Special Education District of Lake
24 County, created by special education joint agreement under
25 Section 10-22.31 of the School Code, for payment of the
26 school district's share of the amounts required to be
27 contributed by the Special Education District of Lake County
28 to the Illinois Municipal Retirement Fund under Article 7 of
29 the Illinois Pension Code; the amount of any extension under
30 this item (k) shall be certified by the school district to
31 the county clerk.

32 "Aggregate extension" for the taxing districts to which
33 this Law did not apply before the 1995 levy year (except
34 taxing districts subject to this Law in accordance with

1 Section 18-213) means the annual corporate extension for the
2 taxing district and those special purpose extensions that are
3 made annually for the taxing district, excluding special
4 purpose extensions: (a) made for the taxing district to pay
5 interest or principal on general obligation bonds that were
6 approved by referendum; (b) made for any taxing district to
7 pay interest or principal on general obligation bonds issued
8 before March 1, 1995; (c) made for any taxing district to pay
9 interest or principal on bonds issued to refund or continue
10 to refund those bonds issued before March 1, 1995; (d) made
11 for any taxing district to pay interest or principal on bonds
12 issued to refund or continue to refund bonds issued after
13 March 1, 1995 that were approved by referendum; (e) made for
14 any taxing district to pay interest or principal on revenue
15 bonds issued before March 1, 1995 for payment of which a
16 property tax levy or the full faith and credit of the unit of
17 local government is pledged; however, a tax for the payment
18 of interest or principal on those bonds shall be made only
19 after the governing body of the unit of local government
20 finds that all other sources for payment are insufficient to
21 make those payments; (f) made for payments under a building
22 commission lease when the lease payments are for the
23 retirement of bonds issued by the commission before March 1,
24 1995 to pay for the building project; (g) made for payments
25 due under installment contracts entered into before March 1,
26 1995; (h) made for payments of principal and interest on
27 bonds issued under the Metropolitan Water Reclamation
28 District Act to finance construction projects initiated
29 before October 1, 1991; (h-5) made for stormwater management
30 purposes by the Metropolitan Water Reclamation District of
31 Greater Chicago under Section 12 of the Metropolitan Water
32 Reclamation District Act; (i) made for payments of principal
33 and interest on limited bonds, as defined in Section 3 of the
34 Local Government Debt Reform Act, in an amount not to exceed

1 the debt service extension base less the amount in items (b),
2 (c), and (e) of this definition for non-referendum
3 obligations, except obligations initially issued pursuant to
4 referendum and bonds described in subsection (h) of this
5 definition; (j) made for payments of principal and interest
6 on bonds issued under Section 15 of the Local Government Debt
7 Reform Act; (k) made for payments of principal and interest
8 on bonds authorized by Public Act 88-503 and issued under
9 Section 20a of the Chicago Park District Act for aquarium or
10 museum projects; and (l) made for payments of principal and
11 interest on bonds authorized by Public Act 87-1191 and issued
12 under Section 42 of the Cook County Forest Preserve District
13 Act for zoological park projects.

14 "Aggregate extension" for all taxing districts to which
15 this Law applies in accordance with Section 18-213, except
16 for those taxing districts subject to paragraph (2) of
17 subsection (e) of Section 18-213, means the annual corporate
18 extension for the taxing district and those special purpose
19 extensions that are made annually for the taxing district,
20 excluding special purpose extensions: (a) made for the taxing
21 district to pay interest or principal on general obligation
22 bonds that were approved by referendum; (b) made for any
23 taxing district to pay interest or principal on general
24 obligation bonds issued before the date on which the
25 referendum making this Law applicable to the taxing district
26 is held; (c) made for any taxing district to pay interest or
27 principal on bonds issued to refund or continue to refund
28 those bonds issued before the date on which the referendum
29 making this Law applicable to the taxing district is held;
30 (d) made for any taxing district to pay interest or principal
31 on bonds issued to refund or continue to refund bonds issued
32 after the date on which the referendum making this Law
33 applicable to the taxing district is held if the bonds were
34 approved by referendum after the date on which the referendum

1 making this Law applicable to the taxing district is held;
2 (e) made for any taxing district to pay interest or principal
3 on revenue bonds issued before the date on which the
4 referendum making this Law applicable to the taxing district
5 is held for payment of which a property tax levy or the full
6 faith and credit of the unit of local government is pledged;
7 however, a tax for the payment of interest or principal on
8 those bonds shall be made only after the governing body of
9 the unit of local government finds that all other sources for
10 payment are insufficient to make those payments; (f) made for
11 payments under a building commission lease when the lease
12 payments are for the retirement of bonds issued by the
13 commission before the date on which the referendum making
14 this Law applicable to the taxing district is held to pay for
15 the building project; (g) made for payments due under
16 installment contracts entered into before the date on which
17 the referendum making this Law applicable to the taxing
18 district is held; (h) made for payments of principal and
19 interest on limited bonds, as defined in Section 3 of the
20 Local Government Debt Reform Act, in an amount not to exceed
21 the debt service extension base less the amount in items (b),
22 (c), and (e) of this definition for non-referendum
23 obligations, except obligations initially issued pursuant to
24 referendum; (i) made for payments of principal and interest
25 on bonds issued under Section 15 of the Local Government Debt
26 Reform Act; and (j) made for a qualified airport authority to
27 pay interest or principal on general obligation bonds issued
28 for the purpose of paying obligations due under, or financing
29 airport facilities required to be acquired, constructed,
30 installed or equipped pursuant to, contracts entered into
31 before March 1, 1996 (but not including any amendments to
32 such a contract taking effect on or after that date).

33 "Aggregate extension" for all taxing districts to which
34 this Law applies in accordance with paragraph (2) of

1 subsection (e) of Section 18-213 means the annual corporate
2 extension for the taxing district and those special purpose
3 extensions that are made annually for the taxing district,
4 excluding special purpose extensions: (a) made for the taxing
5 district to pay interest or principal on general obligation
6 bonds that were approved by referendum; (b) made for any
7 taxing district to pay interest or principal on general
8 obligation bonds issued before the effective date of this
9 amendatory Act of 1997; (c) made for any taxing district to
10 pay interest or principal on bonds issued to refund or
11 continue to refund those bonds issued before the effective
12 date of this amendatory Act of 1997; (d) made for any taxing
13 district to pay interest or principal on bonds issued to
14 refund or continue to refund bonds issued after the effective
15 date of this amendatory Act of 1997 if the bonds were
16 approved by referendum after the effective date of this
17 amendatory Act of 1997; (e) made for any taxing district to
18 pay interest or principal on revenue bonds issued before the
19 effective date of this amendatory Act of 1997 for payment of
20 which a property tax levy or the full faith and credit of the
21 unit of local government is pledged; however, a tax for the
22 payment of interest or principal on those bonds shall be made
23 only after the governing body of the unit of local government
24 finds that all other sources for payment are insufficient to
25 make those payments; (f) made for payments under a building
26 commission lease when the lease payments are for the
27 retirement of bonds issued by the commission before the
28 effective date of this amendatory Act of 1997 to pay for the
29 building project; (g) made for payments due under installment
30 contracts entered into before the effective date of this
31 amendatory Act of 1997; (h) made for payments of principal
32 and interest on limited bonds, as defined in Section 3 of the
33 Local Government Debt Reform Act, in an amount not to exceed
34 the debt service extension base less the amount in items (b),

1 (c), and (e) of this definition for non-referendum
2 obligations, except obligations initially issued pursuant to
3 referendum; (i) made for payments of principal and interest
4 on bonds issued under Section 15 of the Local Government Debt
5 Reform Act; and (j) made for a qualified airport authority to
6 pay interest or principal on general obligation bonds issued
7 for the purpose of paying obligations due under, or financing
8 airport facilities required to be acquired, constructed,
9 installed or equipped pursuant to, contracts entered into
10 before March 1, 1996 (but not including any amendments to
11 such a contract taking effect on or after that date).

12 "Debt service extension base" means an amount equal to
13 that portion of the extension for a taxing district for the
14 1994 levy year, or for those taxing districts subject to this
15 Law in accordance with Section 18-213, except for those
16 subject to paragraph (2) of subsection (e) of Section 18-213,
17 for the levy year in which the referendum making this Law
18 applicable to the taxing district is held, or for those
19 taxing districts subject to this Law in accordance with
20 paragraph (2) of subsection (e) of Section 18-213 for the
21 1996 levy year, constituting an extension for payment of
22 principal and interest on bonds issued by the taxing district
23 without referendum, but not including (i) bonds authorized by
24 Public Act 88-503 and issued under Section 20a of the Chicago
25 Park District Act for aquarium and museum projects; (ii)
26 bonds issued under Section 15 of the Local Government Debt
27 Reform Act; or (iii) refunding obligations issued to refund
28 or to continue to refund obligations initially issued
29 pursuant to referendum. The debt service extension base may
30 be established or increased as provided under Section 18-212.

31 "Special purpose extensions" include, but are not limited
32 to, extensions for levies made on an annual basis for
33 unemployment and workers' compensation, self-insurance,
34 contributions to pension plans, and extensions made pursuant

1 to Section 6-601 of the Illinois Highway Code for a road
2 district's permanent road fund whether levied annually or
3 not. The extension for a special service area is not
4 included in the aggregate extension.

5 "Aggregate extension base" means the taxing district's
6 last preceding aggregate extension as adjusted under Sections
7 18-215 through 18-230.

8 "Levy year" has the same meaning as "year" under Section
9 1-155.

10 "New property" means (i) the assessed value, after final
11 board of review or board of appeals action, of new
12 improvements or additions to existing improvements on any
13 parcel of real property that increase the assessed value of
14 that real property during the levy year multiplied by the
15 equalization factor issued by the Department under Section
16 17-30 and (ii) the assessed value, after final board of
17 review or board of appeals action, of real property not
18 exempt from real estate taxation, which real property was
19 exempt from real estate taxation for any portion of the
20 immediately preceding levy year, multiplied by the
21 equalization factor issued by the Department under Section
22 17-30. In addition, the county clerk in a county containing
23 a population of 3,000,000 or more shall include in the 1997
24 recovered tax increment value for any school district, any
25 recovered tax increment value that was applicable to the 1995
26 tax year calculations.

27 "Qualified airport authority" means an airport authority
28 organized under the Airport Authorities Act and located in a
29 county bordering on the State of Wisconsin and having a
30 population in excess of 200,000 and not greater than 500,000.

31 "Recovered tax increment value" means, except as
32 otherwise provided in this paragraph, the amount of the
33 current year's equalized assessed value, in the first year
34 after a municipality terminates the designation of an area as

1 a redevelopment project area previously established under the
2 Tax Increment Allocation Development Act in the Illinois
3 Municipal Code, previously established under the Industrial
4 Jobs Recovery Law in the Illinois Municipal Code, or
5 previously established under the Economic Development Area
6 Tax Increment Allocation Act, of each taxable lot, block,
7 tract, or parcel of real property in the redevelopment
8 project area over and above the initial equalized assessed
9 value of each property in the redevelopment project area.
10 For the taxes which are extended for the 1997 levy year, the
11 recovered tax increment value for a non-home rule taxing
12 district that first became subject to this Law for the 1995
13 levy year because a majority of its 1994 equalized assessed
14 value was in an affected county or counties shall be
15 increased if a municipality terminated the designation of an
16 area in 1993 as a redevelopment project area previously
17 established under the Tax Increment Allocation Development
18 Act in the Illinois Municipal Code, previously established
19 under the Industrial Jobs Recovery Law in the Illinois
20 Municipal Code, or previously established under the Economic
21 Development Area Tax Increment Allocation Act, by an amount
22 equal to the 1994 equalized assessed value of each taxable
23 lot, block, tract, or parcel of real property in the
24 redevelopment project area over and above the initial
25 equalized assessed value of each property in the
26 redevelopment project area. In the first year after a
27 municipality removes a taxable lot, block, tract, or parcel
28 of real property from a redevelopment project area
29 established under the Tax Increment Allocation Development
30 Act in the Illinois Municipal Code, the Industrial Jobs
31 Recovery Law in the Illinois Municipal Code, or the Economic
32 Development Area Tax Increment Allocation Act, "recovered tax
33 increment value" means the amount of the current year's
34 equalized assessed value of each taxable lot, block, tract,

1 or parcel of real property removed from the redevelopment
2 project area over and above the initial equalized assessed
3 value of that real property before removal from the
4 redevelopment project area.

5 Except as otherwise provided in this Section, "limiting
6 rate" means a fraction the numerator of which is the last
7 preceding aggregate extension base times an amount equal to
8 one plus the extension limitation defined in this Section and
9 the denominator of which is the current year's equalized
10 assessed value of all real property in the territory under
11 the jurisdiction of the taxing district during the prior levy
12 year. For those taxing districts that reduced their
13 aggregate extension for the last preceding levy year, the
14 highest aggregate extension in any of the last 3 preceding
15 levy years shall be used for the purpose of computing the
16 limiting rate. The denominator shall not include new
17 property. The denominator shall not include the recovered
18 tax increment value.

19 (Source: P.A. 90-485, eff. 1-1-98; 90-511, eff. 8-22-97;
20 90-568, eff. 1-1-99; 90-616, eff. 7-10-98; 90-655, eff.
21 7-30-98; 91-357, eff. 7-29-99; 91-478, eff. 11-1-99.)

22 Section 10. The Counties Code is amended by changing
23 Section 5-1062.1 as follows:

24 (55 ILCS 5/5-1062.1) (from Ch. 34, par. 5-1062.1)

25 Sec. 5-1062.1. Stormwater management planning councils
26 in Cook County.

27 (a) Stormwater management planning in Cook County shall
28 be conducted as provided in Section 7h of the Metropolitan
29 Water Reclamation District Act. References in this Section
30 to the "District" mean the Metropolitan Water Reclamation
31 District of Greater Chicago.

32 The purpose of this Section is to create planning

1 councils, organized by watershed, to contribute to the
 2 stormwater management planning process by advising the
 3 Metropolitan Water Reclamation District of Greater Chicago
 4 and representing the needs and interests of the members of
 5 the public and the local governments included within their
 6 respective watersheds. ~~allow-management-and-mitigation-of-the~~
 7 ~~effects--of--urbanization--on--stormwater--drainage--in--Cook~~
 8 ~~County,~~ and This Section applies only to Cook County. In
 9 addition, ~~this-Section-is-intended-to-improve-stormwater-and~~
 10 ~~floodplain-management-in-Cook-County-by-the-following:~~

11 (1) ~~Setting-minimum-standards--for--floodplain--and~~
 12 ~~stormwater-management.~~

13 (2) ~~Preparing---plans---for---the---management---of~~
 14 ~~floodplains---and---stormwater---runoff,---including--the~~
 15 ~~management-of-natural-and-man-made-drainage-ways.~~

16 (b) ~~The-purpose-of-this-Section-shall-be-achieved-by-the~~
 17 ~~following:~~

18 (1) ~~Creating-6~~ Stormwater management planning councils
 19 shall be formed for each of the following according to the
 20 established watersheds of the Chicago Metropolitan Area:
 21 North Branch Chicago River, Lower Des Plaines Tributaries,
 22 Cal-Sag Channel, Little Calumet River, Poplar Creek, and
 23 Upper Salt Creek. In addition, a stormwater management
 24 planning council shall be established for the combined sewer
 25 areas of Cook County. Additional stormwater management
 26 planning councils may be formed by the District Stormwater
 27 Management--Planning--Committee for other watersheds within
 28 Cook County.

29 Membership on the watershed councils shall consist of the
 30 chief elected official, or his or her designee, from each
 31 municipality and township within the watershed and the Cook
 32 County Board President, or his or her designee, if
 33 unincorporated area is included in the watershed. A
 34 municipality or township shall be a member of more than one

1 watershed council if the corporate boundaries of that
2 municipality, or township extend entered into more than one
3 watershed, or if the municipality or township is served in
4 part by separate sewers and combined sewers.

5 Subcommittees of the stormwater management planning
6 councils may be established to assist the stormwater
7 management planning councils in performing their duties
8 ~~preparing and implementing a stormwater management plan.~~ The
9 councils may adopt bylaws to govern the functioning of the
10 stormwater management councils and subcommittees.

11 ~~(2) Creating, by intergovernmental agreement, a~~
12 ~~county-wide Stormwater Management Planning Committee with its~~
13 ~~membership consisting of the Chairman of each of the~~
14 ~~watershed management councils, the Cook County Board~~
15 ~~President or his designee, and the Northeastern Illinois~~
16 ~~Planning Commission President or his designee.~~

17 (c) (3) The principal duties of the watershed planning
18 councils shall be to advise the District on the development
19 and implementation of the countywide develop-a stormwater
20 management plan with respect to matters relating to their
21 respective watersheds and to advise and represent the
22 concerns of ~~for the watershed area and to recommend the plan~~
23 ~~for adoption to~~ the units of local government in the
24 watershed area. The councils shall meet at least quarterly
25 and shall hold at least one public hearing during the
26 preparation of the plan. ~~Adoption of the watershed plan~~
27 ~~shall be by each municipality in the watershed and by vote of~~
28 ~~the County Board.~~

29 (d) (4) The District ~~principal duty of the county-wide~~
30 ~~Stormwater Management Planning Committee~~ shall give careful
31 consideration to the recommendations and concerns of the
32 watershed planning councils throughout the planning process.
33 ~~be to coordinate the 6 watershed plans as developed and to~~
34 ~~coordinate the planning process with the adjoining counties~~

1 to-ensure-that-recommended-stormwater-projects-will--have--no
 2 significant---adverse--impact--on--the--levels--or--flows--of
 3 stormwater-in-the-inter-county-watershed-or-on--the--capacity
 4 of-existing-and-planned-stormwater-retention-facilities. The
 5 District Committee shall identify in an annual published
 6 report steps taken by the District to accommodate the
 7 concerns and recommendations of the watershed planning
 8 councils. Committee--to--coordinate--the-development-of-plan
 9 recommendations-with-adjoining-counties.--The-Committee-shall
 10 also--publish--a--coordinated--stormwater--document--of---all
 11 activity--in--the-Cook-County-area-and-agreed-upon-stormwater
 12 planning-standards.

13 (5)--The-stormwater-management-planning--committee--shall
 14 submit-the-coordinated-watershed-plans-to-the-Office-of-Water
 15 Resources--of--the-Department-of-Natural-Resources-and-to-the
 16 Northeastern-Illinois--Planning--Commission--for--review--and
 17 recommendation.---The-Office-and-the-Commission,-in-reviewing
 18 the-plan,-shall-consider-these-factors-as-impact-on-the-level
 19 or-flows-in-the-rivers-and-streams-and-the-cumulative-effects
 20 of--stormwater--discharges--on--flood--levels.---The---review
 21 comments--and--recommendations--shall--be--submitted--to--the
 22 watershed-councils-for-consideration.

23 (e) (6) The stormwater management planning councils
 24 committee may recommend rules and regulations to the District
 25 watershed-councils governing the location, width, course, and
 26 release rates of all stormwater runoff channels, streams, and
 27 basins in their respective watersheds the-county.

28 (f) (7) The Northwest Municipal Conference, the South
 29 Suburban Mayors and Managers Association, and the West
 30 Central Municipal Conference shall be responsible for the
 31 coordination of the planning councils created under this
 32 Section.

33 (Source: P.A. 88-649, eff. 9-16-94; 89-445, eff. 2-7-96.)

1 Section 15. The Metropolitan Water Reclamation District
 2 Act is amended by changing Sections 3 and 12 by adding
 3 Section 7h as follows:

4 (70 ILCS 2605/3) (from Ch. 42, par. 322)

5 Sec. 3. The corporate authority of the Sanitary District
 6 of Chicago shall consist of 9 commissioners ~~nine--trustees~~.
 7 Commissioners shall be elected at the general election from
 8 the same geographical subdistricts from which members of the
 9 Cook County Board of Review are elected. No political party
 10 shall limit its nominations to less than 2 candidates for
 11 commissioner in any subdistrict. In electing commissioners,
 12 including those for nomination, each elector may cast 3 votes
 13 for one candidate or distribute them equally among no more
 14 than 3 candidates. The candidates highest in votes shall be
 15 declared elected.

16 Three commissioners shall be elected from the first
 17 subdistrict in 2002 for terms of 4 years, in 2006 for terms
 18 of 4 years, and in 2010 for terms of 2 years.

19 Three commissioners shall be elected from the second
 20 subdistrict in 2004 for terms of 4 years and in 2008 for
 21 terms of 4 years.

22 Three commissioners shall be elected from the third
 23 subdistrict in 2006 for terms of 2 years and in 2008 for
 24 terms of 4 years,

25 Beginning with the election of commissioners in 2012,
 26 commissioners from the first subdistrict shall be elected for
 27 4-year terms, 4-year terms, and 2-year terms; commissioners
 28 from the second subdistrict shall be elected for 4-year
 29 terms, 2-year terms, and 4-year terms; and commissioners from
 30 the third subdistrict shall be elected for 2-year terms,
 31 4-year terms, and 4-year terms. Such--trustees--shall--be
 32 elected--for--staggered-terms-at-the-election-provided-by-the
 33 general-election-law.--Three-trustees--shall--be--elected--at

1 each--such--election--to--succeed--the-3-trustees-whose-terms
2 expire-in-such-year.

3 Such commissioners trustees shall take office on the
4 first Tuesday after the first Monday in the month following
5 the month of their election and shall hold their offices for
6 six--years--and until their successors shall be elected and
7 qualified. In-all-elections-for--trustees--each--elector--may
8 vote--for--as--many--candidates--as--there-are-trustees-to-be
9 elected,-but-no-electer-may-give-to-such-candidates-more-than
10 one-vote,-it-being-the-intent-and--purpose--of--this--Act--to
11 prohibit-cumulative-voting-in-the-selection-of-members-of-the
12 board-of-the-sanitary-district.

13 The election of commissioners trustees shall be in
14 accordance with the provisions of the general election law.

15 By reason of the importance and character of the services
16 performed by the sanitary district, there is a great need and
17 it is in the public interest that such services be performed
18 in as near a non-partisan character as possible.

19 When a vacancy exists in the office of commissioner
20 trustees---of--any--sanitary--district--organized--under--the
21 provisions-hereof, the vacancy shall be filled by appointment
22 by the Governor. If 28 or fewer months remain in the term of
23 the vacant office, the appointment shall be for the remainder
24 of the term. If more than 28 months remain in the term of
25 the vacant office, the appointment shall be until the next
26 general regular election at which a commissioner shall be
27 trustees--of-the-Sanitary-District-of-Chicago-are elected for
28 the remainder of the term, and thereafter until a successor
29 shall be elected and qualified.

30 Such sanitary district shall from the time of the first
31 election held by it under this Act be construed in all courts
32 to be a body corporate and politic, and by the name and style
33 of the sanitary district of...., and by such name and style
34 may sue and be sued, contract and be contracted with, acquire

1 and hold real estate and personal property necessary for
2 corporate purposes, and adopt a common seal and alter the
3 same at pleasure.

4 The board of commissioners trustees shall have the power
5 to change the name of the Sanitary District of Chicago by
6 ordinance and public notice without impairing the legal
7 status of acts theretofore performed by said district.
8 Thereafter any and all references to the Sanitary District of
9 Chicago in this Act or otherwise shall mean and include the
10 name under which such sanitary district is then operating.
11 No rights, duties or privilege of such a sanitary district,
12 or those of any person, existing before the change of name
13 shall be affected by a change, in the name of a sanitary
14 district. All proceedings pending in any court in favor of
15 or against such sanitary district may continue to final
16 consummation under the name in which they were commenced.

17 (Source: P.A. 83-345.)

18 (70 ILCS 2605/7h new)

19 Sec. 7h. Stormwater management.

20 (a) Stormwater management in Cook County shall be under
21 the general supervision of the Metropolitan Water Reclamation
22 District of Greater Chicago. The District has the authority
23 to plan, manage, implement, and finance activities relating
24 to stormwater management in Cook County. The authority of
25 the District with respect to stormwater management extends
26 throughout Cook County and is not limited to the area
27 otherwise within the territory and jurisdiction of the
28 District under this Act.

29 For the purposes of this Section, the term "stormwater
30 management" includes, without limitation, the management of
31 floods and floodwaters.

32 (b) The District may utilize the resources of
33 cooperating local watershed councils (including the

1 stormwater management planning councils created under Section
2 5-1062.1 of the Counties Code), councils of local
3 governments, the Northeastern Illinois Planning Commission,
4 and similar organizations and agencies. The District may
5 provide those organizations and agencies with funding, on a
6 contractual basis, for providing information to the District,
7 providing information to the public, or performing other
8 activities related to stormwater management.

9 The District may enter into agreements with responsible
10 agencies in adjoining counties for the purpose of
11 accommodating planning activities on a watershed basis.

12 The District may enter into intergovernmental agreements
13 with Cook County or other units of local government that are
14 located in whole or in part outside the District for the
15 purpose of implementing the stormwater management plan and
16 providing stormwater management services in areas not
17 included within the territory of the District.

18 (c) The District shall prepare and adopt by ordinance a
19 countywide stormwater management plan for Cook County. The
20 countywide plan may incorporate one or more separate
21 watershed plans.

22 Prior to adopting the countywide stormwater management
23 plan, the District shall hold at least one public hearing
24 thereon and shall afford interested persons an opportunity to
25 be heard.

26 (d) The District may prescribe by ordinance reasonable
27 rules and regulations for floodplain and stormwater
28 management and for governing the location, width, course, and
29 release rate of all stormwater runoff channels, streams, and
30 basins in Cook County, in accordance with the adopted
31 stormwater management plan. These rules and regulations
32 shall, at a minimum, meet the standards for floodplain
33 management established by the Office of Water Resources of
34 the Department of Natural Resources and the requirements of

1 the Federal Emergency Management Agency for participation in
2 the National Flood Insurance Program.

3 (e) The District may impose fees on areas outside the
4 District but within Cook County to mitigate the effects of
5 increased stormwater runoff resulting from new development.
6 The fees shall not exceed the cost of satisfying the onsite
7 stormwater retention or detention requirements of the adopted
8 stormwater management plan. The fees shall be used to
9 finance activities undertaken by the District or units of
10 local government within the District to mitigate the effects
11 of urban stormwater runoff by providing regional stormwater
12 retention or detention facilities, as identified in the plan.
13 All such fees collected by the District shall be held in a
14 separate fund.

15 (f) Amounts realized from the tax levy for stormwater
16 management purposes authorized in Section 12 may be used by
17 the District for implementing this Section and for the
18 development, design, planning, construction, operation, and
19 maintenance of regional stormwater facilities provided for in
20 the stormwater management plan.

21 The proceeds of any tax imposed under Section 12 for
22 stormwater management purposes and any revenues generated as
23 a result of the ownership or operation of facilities or land
24 acquired with the proceeds of taxes imposed under Section 12
25 for stormwater management purposes shall be held in a
26 separate fund and used either for implementing this Section
27 or to abate those taxes.

28 (g) The District may plan, implement, finance, and
29 operate regional stormwater management projects in accordance
30 with the adopted countywide stormwater management plan.

31 The District shall provide for public review and comment
32 on proposed stormwater management projects. The District
33 shall conform to State and federal requirements concerning
34 public information, environmental assessments, and

1 environmental impacts for projects receiving State or federal
2 funds.

3 The District may issue bonds under Section 9.6a of this
4 Act for the purpose of funding stormwater management
5 projects.

6 The District shall not use Cook County Forest Preserve
7 District land for stormwater or flood control projects
8 without the consent of the Forest Preserve District.

9 (h) Upon the creation and implementation of a county
10 stormwater management plan, the District may petition the
11 circuit court to dissolve any or all drainage districts
12 created pursuant to the Illinois Drainage Code or predecessor
13 Acts that are located entirely within the District.

14 However, any active drainage district implementing a plan
15 that is consistent with and at least as stringent as the
16 county stormwater management plan may petition the District
17 for exception from dissolution. Upon filing of the petition,
18 the District shall set a date for hearing not less than 2
19 weeks, nor more than 4 weeks, from the filing thereof, and
20 the District shall give at least one week's notice of the
21 hearing in one or more newspapers of general circulation
22 within the drainage district, and in addition shall cause a
23 copy of the notice to be personally served upon each of the
24 trustees of the drainage district. At the hearing, the
25 District shall hear the drainage district's petition and
26 allow the drainage district trustees and any interested
27 parties an opportunity to present oral and written evidence.
28 The District shall render its decision upon the petition for
29 exception from dissolution based upon the best interests of
30 the residents of the drainage district. In the event that
31 the exception is not allowed, the drainage district may file
32 a petition with the circuit court within 30 days of the
33 decision. In that case, the notice and hearing requirements
34 for the court shall be the same as provided in this

1 subsection for the petition to the District. The court shall
2 render its decision of whether to dissolve the district based
3 upon the best interests of the residents of the drainage
4 district.

5 The dissolution of a drainage district shall not affect
6 the obligation of any bonds issued or contracts entered into
7 by the drainage district nor invalidate the levy, extension,
8 or collection of any taxes or special assessments upon the
9 property in the former drainage district. All property and
10 obligations of the former drainage district shall be assumed
11 and managed by the District, and the debts of the former
12 drainage district shall be discharged as soon as practicable.

13 If a drainage district lies only partly within the
14 District, the District may petition the circuit court to
15 disconnect from the drainage district that portion of the
16 drainage district that lies within the District. The
17 property of the drainage district within the disconnected
18 area shall be assumed and managed by the District. The
19 District shall also assume a portion of the drainage
20 district's debt at the time of disconnection, based on the
21 portion of the value of the taxable property of the drainage
22 district which is located within the area being disconnected.

23 A drainage district that continues to exist within Cook
24 County shall conform its operations to the countywide
25 stormwater management plan.

26 (i) The District may assume responsibility for
27 maintaining any stream within Cook County.

28 (j) The District may, after 10 days written notice to
29 the owner or occupant, enter upon any lands or waters within
30 the county for the purpose of inspecting stormwater
31 facilities or causing the removal of any obstruction to an
32 affected watercourse. The District shall be responsible for
33 any damages occasioned thereby.

34 (k) The District shall report to the public annually on

1 its activities and expenditures under this Section and the
2 adopted countywide stormwater management plan.

3 (l) The powers granted to the District under this
4 Section are in addition to the other powers granted under
5 this Act. This Section does not limit the powers of the
6 District under any other provision of this Act or any other
7 law.

8 (m) This Section does not affect the power or duty of
9 any unit of local government to take actions relating to
10 flooding or stormwater, so long as those actions conform with
11 this Section and the plans, rules, and ordinances adopted by
12 the District under this Section.

13 A home rule unit located in whole or in part in Cook
14 County may not regulate stormwater management or planning in
15 Cook County in a manner inconsistent with this Section or the
16 plans, rules, and ordinances adopted by the District under
17 this Section. Pursuant to paragraph (i) of Section 6 of
18 Article VII of the Illinois Constitution, this Section
19 specifically denies and limits the exercise of any power that
20 is inconsistent with this Section by a home rule unit that is
21 a county with a population of 1,500,000 or more or is
22 located, in whole or in part, within such a county.

23 (70 ILCS 2605/12) (from Ch. 42, par. 332)

24 Sec. 12. The board of commissioners annually may levy
25 taxes for corporate purposes upon property within the
26 territorial limits of such sanitary district, the aggregate
27 amount of which, exclusive of the amount levied for (a) the
28 payment of bonded indebtedness and the interest on bonded
29 indebtedness (b) employees' annuity and benefit purposes (c)
30 construction purposes, and (d) for the purpose of
31 establishing and maintaining a reserve fund for the payment
32 of claims, awards, losses, judgments or liabilities which
33 might be imposed on such sanitary district under the Workers'

1 Compensation Act or the Workers' Occupational Diseases Act,
 2 and any claim in tort, including but not limited to, any
 3 claim imposed upon such sanitary district under the Local
 4 Governmental and Governmental Employees Tort Immunity Act,
 5 and for the repair or replacement of any property owned by
 6 such sanitary district which is damaged by fire, flood,
 7 explosion, vandalism or any other peril, natural or manmade,
 8 shall not exceed the sum produced by extending the rate of
 9 .46% for each of the years year 1979 through 2000 and by
 10 extending the rate of 0.41% for the year 2001 and each year
 11 thereafter, upon the assessed valuation of all taxable
 12 property within the sanitary district as equalized and
 13 determined for State and local taxes.

14 In addition, for stormwater management purposes as
 15 provided in subsection (f) of Section 7h, the board of
 16 commissioners may levy taxes for the year 2001 and each year
 17 thereafter at a rate not to exceed 0.05% of the assessed
 18 valuation of all taxable property within the district as
 19 equalized and determined for State and local taxes.

20 ~~And~~ In addition thereto, for construction purposes as
 21 defined in Section 5.2 of this Act, the board of
 22 commissioners may levy taxes for the year 1985 and each year
 23 thereafter which shall be at a rate not to exceed .10% of the
 24 assessed valuation of all taxable property within the
 25 sanitary district as equalized and determined for State and
 26 local taxes. Amounts realized from taxes so levied for
 27 construction purposes shall be limited for use to such
 28 purposes and shall not be available for appropriation or used
 29 to defray the cost of repairs to or expense of maintaining or
 30 operating existing or future facilities, but such
 31 restrictions, however, shall not apply to additions,
 32 alterations, enlargements, and replacements which will add
 33 appreciably to the value, utility, or the useful life of said
 34 facilities.

1 Such rates shall be extended against the assessed
2 valuation of the taxable property within the corporate limits
3 as the same shall be assessed and equalized for the county
4 taxes for the year in which the levy is made and said board
5 shall cause the amount to be raised by taxation in each year
6 to be certified to the county clerk on or before the
7 thirtieth day of March; provided, however, that if during the
8 budget year the General Assembly authorizes an increase in
9 such rates, the board of commissioners may adopt a
10 supplemental levy and shall make such certification to the
11 County Clerk on or before the thirtieth day of December.

12 For the purpose of establishing and maintaining a reserve
13 fund for the payment of claims, awards, losses, judgments or
14 liabilities which might be imposed on such sanitary district
15 under the Workers' Compensation Act or the Workers'
16 Occupational Diseases Act, and any claim in tort, including
17 but not limited to, any claim imposed upon such sanitary
18 district under the Local Governmental and Governmental
19 Employees Tort Immunity Act, and for the repair or
20 replacement, where the cost thereof exceeds the sum of
21 \$10,000, of any property owned by such sanitary district
22 which is damaged by fire, flood, explosion, vandalism or any
23 other peril, natural or man-made, such sanitary district may
24 also levy annually upon all taxable property within its
25 territorial limits a tax not to exceed .005% of the assessed
26 valuation of said taxable property as equalized and
27 determined for State and local taxes; provided, however, the
28 aggregate amount which may be accumulated in such reserve
29 fund shall not exceed .05% of such assessed valuation.

30 All taxes so levied and certified shall be collected and
31 enforced in the same manner and by the same officers as State
32 and county taxes, and shall be paid over by the officer
33 collecting the same to the treasurer of the sanitary
34 district, in the manner and at the time provided by the

1 general revenue law. No part of the taxes hereby authorized
2 shall be used by such sanitary district for the construction
3 of permanent, fixed, immovable bridges across any channel
4 constructed under the provisions of this Act. All bridges
5 built across such channel shall not necessarily interfere
6 with or obstruct the navigation of such channel, when the
7 same becomes a navigable stream, as provided in Section 24 of
8 this Act, but such bridges shall be so constructed that they
9 can be raised, swung or moved out of the way of vessels,
10 tugs, boats or other water craft navigating such channel.
11 Nothing in this Act shall be so construed as to compel said
12 district to maintain or operate said bridges, as movable
13 bridges, for a period of 9 years from and after the time when
14 the water has been turned into said channel pursuant to law,
15 unless the needs of general navigation of the Des Plaines and
16 Illinois Rivers, when connected by said channel, sooner
17 require it. In levying taxes the board of commissioners, in
18 order to produce the net amount required by the levies for
19 payment of bonds and interest thereon, shall include an
20 amount or rate estimated to be sufficient to cover losses in
21 collection of taxes, the cost of collecting taxes, abatements
22 in the amount of such taxes as extended on the collector's
23 books and the amount of such taxes collection of which will
24 be deferred; the amount so added for the purpose of producing
25 the net amount required shall not exceed any applicable
26 maximum tax rate or amount.

27 (Source: P.A. 84-630.)

28 (70 ILCS 2605/4b rep.)

29 Section 20. The Metropolitan Water Reclamation District
30 is amended by repealing Section 4b.

31 Section 99. Effective date. This Act takes effect upon
32 becoming law."