

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Water Commission Act of 1985 is amended by changing Section 0.001 as follows:

(70 ILCS 3720/0.001)

Sec. 0.001. Commissioners; terms; vacancies. ~~Effective January 1, 2011, the terms of office of the chairperson and all commissioners of water commissions appointed pursuant to this Act shall terminate and the commission shall be reconstituted.~~

(a) The commissioners of water commissions appointed pursuant to this Act shall be appointed as follows:

(1) A chairperson, who shall also serve in the capacity of a commissioner, shall be appointed by the chairperson of the county board of the home county with the advice and consent of the county board. For appointments made on or after the effective date of this amendatory Act of the 102nd General Assembly, the chairperson shall be a resident of the home county.

(2) One commissioner from each county board district within the home county shall be appointed by the chairperson of the county board of the home county with the advice and consent of the county board.

(3) One commissioner from each county board district within the home county shall be appointed by the majority vote of the mayors of those included municipalities that have the greatest percentage of their respective populations residing within such county board district of the home county. A vice-chairperson of the commission shall be appointed from the commissioners appointed pursuant to this paragraph by a majority vote of these commissioners.

(4) Upon receipt of water by any territorial municipality, one commissioner from a territorial municipality shall be appointed by the chairperson of the county board of the home county with the advice and consent of the county board.

(5) Upon receipt of water by a territorial municipality, one commissioner from a territorial municipality shall be appointed by the majority vote of the mayors of those territorial municipalities.

(b) All commissioners shall be residents of the home county or a resident of an included municipality. However, commissioners appointed under paragraph (4) or (5) of subsection (a) on or after the effective date of this amendatory Act of the 102nd General Assembly shall be residents of a territorial municipality.

(c) The ~~initial~~ commissioners appointed pursuant to subsection (a) shall serve the following terms:

(1) The chairperson shall serve for a term of 6 years.

(2) At the first meeting of the commission held after January 1, 2011, the commissioners appointed pursuant to paragraph (2) of subsection (a) shall determine publicly by lot one-third of their members to serve for a term of 2 years, one-third of their members to serve for a term of 4 years, and one-third of their members to serve for a term of 6 years, any odd number of commissioners so determined by dividing into thirds to serve 6-year terms.

(3) At the first meeting of the commission held after January 1, 2011, the commissioners and the vice-chairperson appointed pursuant to paragraph (3) of subsection (a) shall determine publicly by lot one-third of their members to serve for a term of 2 years, one-third of their members to serve for a term of 4 years, and one-third of their members to serve for a term of 6 years, any odd number of commissioners so determined by dividing into thirds to serve 6-year terms.

(4) The commissioner appointed pursuant to paragraph (4) of subsection (a) shall serve an initial term of 3 years.

(5) The commissioner appointed pursuant to paragraph (5) of subsection (a) shall serve an initial term of 6 years.

The successor commissioners shall serve for a term of 6 years or until their successors have been appointed and

qualified in the same manner as the original appointments.

(d) A commissioner shall be eligible for reappointment upon the expiration of his or her term. A vacancy in the office of a commissioner shall be filled for the balance of the unexpired term by appointment and with the qualifications as to residency in the same manner as the original appointment was made.

(e) A commissioner may be a member of the governing board, an officer, or an employee of the county or any unit of local government located within the county.

(f) As used in this Section, "territorial municipality" means a municipality entirely outside of the home county, but within the territorial limits and receiving water from the water commission.

(Source: P.A. 96-1389, eff. 7-29-10.)

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