

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 a  
23 majority of the appointing authorities ~~the appointing~~  
24 ~~authority~~, which shall not be more than \$2,000 per year, except  
25 that no commissioner who is a member of the governing board or  
26 officer of the municipality or county from which the

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

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

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

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