

August 13, 2015

To the Honorable Members of
The Illinois Senate,
99th General Assembly:

Today I return Senate Bill 816 with a specific recommendation for change.

Section 2.1 of the Water Commission Act authorizes a water commission to vote to dissolve itself and consolidate into another unit of government. This authority was only recently enacted into law in 2014 at the recommendation of the Local Government Consolidation Commission. Senate Bill 816 would remove this authority.

Illinois currently has almost 7,000 units of local government, far more than any state in the country. I strongly support the authority of units of local government to take initiative to dissolve and consolidate.

In one particular circumstance, however, this authority is hampering the DuPage Water Commission's ability to effectively serve its constituents. The Commission was created and funded by voluntary participating municipalities. Because the Commission can be effectively dissolved by those municipalities, the additional authority conferred by the 2014 law is not necessary in the limited case of the Commission.

I applaud the efforts of those members of the General Assembly who have championed the consolidation of local government. The change recommended below allows for the dissolution of water commissions best suited to their circumstances.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return Senate Bill 816, entitled "AN ACT concerning local government", with the following specific recommendation for change:

On page 1, by replacing lines 7 through 23 with the following:

“Sec. 2.1. Cessation of commission organization.

(a) Notwithstanding any other provision of law, if a majority vote of the water commission is in favor of the proposition to annex the commission to another commission whose boundaries are contiguous, or consolidate the commission into a municipality with which the commission is coterminous or substantially coterminous, or consolidate the commission into the county in which the commission sits, and if the governing authorities of the governmental unit assuming the functions of the former commission agree by resolution to accept the functions (and jurisdiction over the territory, if applicable) of the consolidated or annexed commission, then the commission shall cease. On the effective date of the annexation or consolidation, all the rights, powers, duties, assets, property, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the commission shall vest in and be assumed by the governmental unit assuming the functions of the former commission.

The employees of the former commission shall be transferred to the governmental unit assuming the functions of the former commission. The governmental unit assuming the functions of the former commission shall exercise the rights and responsibilities of the former commission with respect to those employees. The status and rights of the employees of the former commission under any applicable contracts or collective bargaining agreements, historical representation rights under the Illinois Public Labor Relations Act, or under any pension, retirement, or annuity plan shall not be affected by this amendatory Act.

(b) This Section shall not apply to any water commission organized in DuPage County.”; and

On page 2, by deleting lines 1 through 12.

With this change, Senate Bill 816 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR