

**SB3626**



**100TH GENERAL ASSEMBLY**

**State of Illinois**

**2017 and 2018**

**SB3626**

Introduced 7/25/2018, by Sen. Andy Manar

**SYNOPSIS AS INTRODUCED:**

220 ILCS 5/2-101

from Ch. 111 2/3, par. 2-101

Amends the Public Utilities Act. Provides that on and after the effective date of this amendatory Act, the members of the Illinois Commerce Commission shall be appointed to establish and maintain the following pattern of regional representation: 2 members from those counties other than Cook County and the 5 counties contiguous to Cook County, one member from Cook County, one member from one of the 5 counties that are contiguous to Cook County, and one member at-large. The pattern of regional representation shall be established by the third Monday of January, 2023. Effective immediately.

LRB100 22597 JWD 41570 b

**A BILL FOR**

1 AN ACT concerning utilities.

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

4 Section 5. The Public Utilities Act is amended by changing  
5 Section 2-101 as follows:

6 (220 ILCS 5/2-101) (from Ch. 111 2/3, par. 2-101)

7 Sec. 2-101. Commerce Commission created. There is created  
8 an Illinois Commerce Commission consisting of 5 members not  
9 more than 3 of whom shall be members of the same political  
10 party at the time of appointment. The Governor shall appoint  
11 the members of such Commission by and with the advice and  
12 consent of the Senate. In case of a vacancy in such office  
13 during the recess of the Senate the Governor shall make a  
14 temporary appointment until the next meeting of the Senate,  
15 when he shall nominate some person to fill such office; and any  
16 person so nominated who is confirmed by the Senate, shall hold  
17 his office during the remainder of the term and until his  
18 successor shall be appointed and qualified. Each member of the  
19 Commission shall hold office for a term of 5 years from the  
20 third Monday in January of the year in which his predecessor's  
21 term expires.

22 Appointments made on and after the effective date of this  
23 amendatory Act of the 100th General Assembly shall be made to

1 establish and maintain a pattern of regional representation as  
2 follows: 2 appointees shall be selected from among those  
3 counties of the State other than Cook County and the 5 counties  
4 contiguous to Cook County; one appointee shall be selected from  
5 Cook County; one appointee shall be selected from among the 5  
6 counties of the State that are contiguous to Cook County; and  
7 one appointee shall be selected at-large. The pattern of  
8 regional representation shall be established by the third  
9 Monday of January, 2023.

10 Notwithstanding any provision of this Section to the  
11 contrary, the term of office of each member of the Commission  
12 is terminated on the effective date of this amendatory Act of  
13 1995, but the incumbent members shall continue to exercise all  
14 of the powers and be subject to all of the duties of members of  
15 the Commission until their respective successors are appointed  
16 and qualified. Of the members initially appointed under the  
17 provisions of this amendatory Act of 1995, one member shall be  
18 appointed for a term of office which shall expire on the third  
19 Monday of January, 1997; 2 members shall be appointed for terms  
20 of office which shall expire on the third Monday of January,  
21 1998; one member shall be appointed for a term of office which  
22 shall expire on the third Monday of January, 1999; and one  
23 member shall be appointed for a term of office which shall  
24 expire on the third Monday of January, 2000. Each respective  
25 successor shall be appointed for a term of 5 years from the  
26 third Monday of January of the year in which his predecessor's

1 term expires in accordance with the provisions of the first  
2 paragraph of this Section.

3 Each member shall serve until his successor is appointed  
4 and qualified, except that if the Senate refuses to consent to  
5 the appointment of any member, such office shall be deemed  
6 vacant, and within 2 weeks of the date the Senate refuses to  
7 consent to the reappointment of any member, such member shall  
8 vacate such office. The Governor shall from time to time  
9 designate the member of the Commission who shall be its  
10 chairman. Consistent with the provisions of this Act, the  
11 Chairman shall be the chief executive officer of the Commission  
12 for the purpose of ensuring that the Commission's policies are  
13 properly executed.

14 If there is no vacancy on the Commission, 4 members of the  
15 Commission shall constitute a quorum to transact business;  
16 otherwise, a majority of the Commission shall constitute a  
17 quorum to transact business, and no vacancy shall impair the  
18 right of the remaining commissioners to exercise all of the  
19 powers of the Commission. Every finding, order, or decision  
20 approved by a majority of the members of the Commission shall  
21 be deemed to be the finding, order, or decision of the  
22 Commission.

23 (Source: P.A. 92-22, eff. 6-30-01.)

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