

1 AN ACT in relation to public 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
5 changing 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
8 created an Illinois Commerce Commission consisting of 7 5
9 members not more than 4 3 of whom shall be members of the
10 same political party at the time of appointment. The 2
11 members and their successors appointed under the provisions
12 of this amendatory Act of the 92nd General Assembly must be
13 appointed to represent the interests of consumers of public
14 utility services. The Governor shall appoint the members of
15 such Commission by and with the advice and consent of the
16 Senate. In case of a vacancy in such office during the
17 recess of the Senate the Governor shall make a temporary
18 appointment until the next meeting of the Senate, when he
19 shall nominate some person to fill such office; and any
20 person so nominated who is confirmed by the Senate, shall
21 hold his office during the remainder of the term and until
22 his successor shall be appointed and qualified. Each member
23 of the Commission shall hold office for a term of 5 years
24 from the third Monday in January of the year in which his
25 predecessor's term expires.

26 Notwithstanding any provision of this Section to the
27 contrary, the term of office of each member of the Commission
28 is terminated on the effective date of this amendatory Act of
29 1995, but the incumbent members shall continue to exercise
30 all of the powers and be subject to all of the duties of
31 members of the Commission until their respective successors

1 are appointed and qualified. Of the members initially
2 appointed under the provisions of this amendatory Act of
3 1995, one member shall be appointed for a term of office
4 which shall expire on the third Monday of January, 1997; 2
5 members shall be appointed for terms of office which shall
6 expire on the third Monday of January, 1998; one member shall
7 be appointed for a term of office which shall expire on the
8 third Monday of January, 1999; and one member shall be
9 appointed for a term of office which shall expire on the
10 third Monday of January, 2000. Of the members initially
11 appointed under the provisions of this amendatory Act of the
12 92nd General Assembly, one member shall be appointed for a
13 term that expires on the third Monday of January 2006 and one
14 member shall be appointed for a term that expires on the
15 third Monday of January 2007. Each respective successor
16 shall be appointed for a term of 5 years from the third
17 Monday of January of the year in which his predecessor's term
18 expires in accordance with the provisions of the first
19 paragraph of this Section.

20 Each member shall serve until his successor is appointed
21 and qualified, except that if the Senate refuses to consent
22 to the appointment of any member, such office shall be
23 deemed vacant, and within 2 weeks of the date the Senate
24 refuses to consent to the reappointment of any member, such
25 member shall vacate such office. The Governor shall from time
26 to time designate the member of the Commission who shall be
27 its chairman. Consistent with the provisions of this Act, the
28 Chairman shall be the chief executive officer of the
29 Commission for the purpose of ensuring that the Commission's
30 policies are properly executed.

31 A majority of the Commission shall constitute a quorum to
32 transact business, but no vacancy shall impair the right of
33 the remaining commissioners to exercise all of the powers of
34 the Commission; and every finding, order or decision approved

1 by a majority of the members of the Commission shall be
2 deemed to be the finding, order or decision of the
3 Commission.

4 (Source: P.A. 89-429, eff. 12-15-95.)