

1 AN ACT in relation to stormwater management.

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

4 Section 5. The Property Tax Code is amended by changing
5 Section 18-185 as follows:

6 (35 ILCS 200/18-185)

7 Sec. 18-185. Short title; definitions. This Division 5
8 may be cited as the Property Tax Extension Limitation Law.
9 As used in this Division 5:

10 "Consumer Price Index" means the Consumer Price Index for
11 All Urban Consumers for all items published by the United
12 States Department of Labor.

13 "Extension limitation" means (a) the lesser of 5% or the
14 percentage increase in the Consumer Price Index during the
15 12-month calendar year preceding the levy year or (b) the
16 rate of increase approved by voters under Section 18-205.

17 "Affected county" means a county of 3,000,000 or more
18 inhabitants or a county contiguous to a county of 3,000,000
19 or more inhabitants.

20 "Taxing district" has the same meaning provided in
21 Section 1-150, except as otherwise provided in this Section.
22 For the 1991 through 1994 levy years only, "taxing district"
23 includes only each non-home rule taxing district having the
24 majority of its 1990 equalized assessed value within any
25 county or counties contiguous to a county with 3,000,000 or
26 more inhabitants. Beginning with the 1995 levy year, "taxing
27 district" includes only each non-home rule taxing district
28 subject to this Law before the 1995 levy year and each
29 non-home rule taxing district not subject to this Law before
30 the 1995 levy year having the majority of its 1994 equalized
31 assessed value in an affected county or counties. Beginning

1 with the levy year in which this Law becomes applicable to a
2 taxing district as provided in Section 18-213, "taxing
3 district" also includes those taxing districts made subject
4 to this Law as provided in Section 18-213.

5 "Aggregate extension" for taxing districts to which this
6 Law applied before the 1995 levy year means the annual
7 corporate extension for the taxing district and those special
8 purpose extensions that are made annually for the taxing
9 district, excluding special purpose extensions: (a) made for
10 the taxing district to pay interest or principal on general
11 obligation bonds that were approved by referendum; (b) made
12 for any taxing district to pay interest or principal on
13 general obligation bonds issued before October 1, 1991; (c)
14 made for any taxing district to pay interest or principal on
15 bonds issued to refund or continue to refund those bonds
16 issued before October 1, 1991; (d) made for any taxing
17 district to pay interest or principal on bonds issued to
18 refund or continue to refund bonds issued after October 1,
19 1991 that were approved by referendum; (e) made for any
20 taxing district to pay interest or principal on revenue bonds
21 issued before October 1, 1991 for payment of which a property
22 tax levy or the full faith and credit of the unit of local
23 government is pledged; however, a tax for the payment of
24 interest or principal on those bonds shall be made only after
25 the governing body of the unit of local government finds that
26 all other sources for payment are insufficient to make those
27 payments; (f) made for payments under a building commission
28 lease when the lease payments are for the retirement of bonds
29 issued by the commission before October 1, 1991, to pay for
30 the building project; (g) made for payments due under
31 installment contracts entered into before October 1, 1991;
32 (h) made for payments of principal and interest on bonds
33 issued under the Metropolitan Water Reclamation District Act
34 to finance construction projects initiated before October 1,

1 1991; (i) made for payments of principal and interest on
2 limited bonds, as defined in Section 3 of the Local
3 Government Debt Reform Act, in an amount not to exceed the
4 debt service extension base less the amount in items (b),
5 (c), (e), and (h) of this definition for non-referendum
6 obligations, except obligations initially issued pursuant to
7 referendum; (j) made for payments of principal and interest
8 on bonds issued under Section 15 of the Local Government Debt
9 Reform Act; and (k) made by a school district that
10 participates in the Special Education District of Lake
11 County, created by special education joint agreement under
12 Section 10-22.31 of the School Code, for payment of the
13 school district's share of the amounts required to be
14 contributed by the Special Education District of Lake County
15 to the Illinois Municipal Retirement Fund under Article 7 of
16 the Illinois Pension Code; the amount of any extension under
17 this item (k) shall be certified by the school district to
18 the county clerk.

19 "Aggregate extension" for the taxing districts to which
20 this Law did not apply before the 1995 levy year (except
21 taxing districts subject to this Law in accordance with
22 Section 18-213) means the annual corporate extension for the
23 taxing district and those special purpose extensions that are
24 made annually for the taxing district, excluding special
25 purpose extensions: (a) made for the taxing district to pay
26 interest or principal on general obligation bonds that were
27 approved by referendum; (b) made for any taxing district to
28 pay interest or principal on general obligation bonds issued
29 before March 1, 1995; (c) made for any taxing district to pay
30 interest or principal on bonds issued to refund or continue
31 to refund those bonds issued before March 1, 1995; (d) made
32 for any taxing district to pay interest or principal on bonds
33 issued to refund or continue to refund bonds issued after
34 March 1, 1995 that were approved by referendum; (e) made for

1 any taxing district to pay interest or principal on revenue
2 bonds issued before March 1, 1995 for payment of which a
3 property tax levy or the full faith and credit of the unit of
4 local government is pledged; however, a tax for the payment
5 of interest or principal on those bonds shall be made only
6 after the governing body of the unit of local government
7 finds that all other sources for payment are insufficient to
8 make those payments; (f) made for payments under a building
9 commission lease when the lease payments are for the
10 retirement of bonds issued by the commission before March 1,
11 1995 to pay for the building project; (g) made for payments
12 due under installment contracts entered into before March 1,
13 1995; (h) made for payments of principal and interest on
14 bonds issued under the Metropolitan Water Reclamation
15 District Act to finance construction projects initiated
16 before October 1, 1991; (h-5) made for stormwater management
17 purposes by the Metropolitan Water Reclamation District of
18 Greater Chicago under Section 12 of the Metropolitan Water
19 Reclamation District Act; (i) made for payments of principal
20 and interest on limited bonds, as defined in Section 3 of the
21 Local Government Debt Reform Act, in an amount not to exceed
22 the debt service extension base less the amount in items (b),
23 (c), and (e) of this definition for non-referendum
24 obligations, except obligations initially issued pursuant to
25 referendum and bonds described in subsection (h) of this
26 definition; (j) made for payments of principal and interest
27 on bonds issued under Section 15 of the Local Government Debt
28 Reform Act; (k) made for payments of principal and interest
29 on bonds authorized by Public Act 88-503 and issued under
30 Section 20a of the Chicago Park District Act for aquarium or
31 museum projects; and (l) made for payments of principal and
32 interest on bonds authorized by Public Act 87-1191 and issued
33 under Section 42 of the Cook County Forest Preserve District
34 Act for zoological park projects.

1 "Aggregate extension" for all taxing districts to which
2 this Law applies in accordance with Section 18-213, except
3 for those taxing districts subject to paragraph (2) of
4 subsection (e) of Section 18-213, means the annual corporate
5 extension for the taxing district and those special purpose
6 extensions that are made annually for the taxing district,
7 excluding special purpose extensions: (a) made for the taxing
8 district to pay interest or principal on general obligation
9 bonds that were approved by referendum; (b) made for any
10 taxing district to pay interest or principal on general
11 obligation bonds issued before the date on which the
12 referendum making this Law applicable to the taxing district
13 is held; (c) made for any taxing district to pay interest or
14 principal on bonds issued to refund or continue to refund
15 those bonds issued before the date on which the referendum
16 making this Law applicable to the taxing district is held;
17 (d) made for any taxing district to pay interest or principal
18 on bonds issued to refund or continue to refund bonds issued
19 after the date on which the referendum making this Law
20 applicable to the taxing district is held if the bonds were
21 approved by referendum after the date on which the referendum
22 making this Law applicable to the taxing district is held;
23 (e) made for any taxing district to pay interest or principal
24 on revenue bonds issued before the date on which the
25 referendum making this Law applicable to the taxing district
26 is held for payment of which a property tax levy or the full
27 faith and credit of the unit of local government is pledged;
28 however, a tax for the payment of interest or principal on
29 those bonds shall be made only after the governing body of
30 the unit of local government finds that all other sources for
31 payment are insufficient to make those payments; (f) made for
32 payments under a building commission lease when the lease
33 payments are for the retirement of bonds issued by the
34 commission before the date on which the referendum making

1 this Law applicable to the taxing district is held to pay for
2 the building project; (g) made for payments due under
3 installment contracts entered into before the date on which
4 the referendum making this Law applicable to the taxing
5 district is held; (h) made for payments of principal and
6 interest on limited bonds, as defined in Section 3 of the
7 Local Government Debt Reform Act, in an amount not to exceed
8 the debt service extension base less the amount in items (b),
9 (c), and (e) of this definition for non-referendum
10 obligations, except obligations initially issued pursuant to
11 referendum; (i) made for payments of principal and interest
12 on bonds issued under Section 15 of the Local Government Debt
13 Reform Act; and (j) made for a qualified airport authority to
14 pay interest or principal on general obligation bonds issued
15 for the purpose of paying obligations due under, or financing
16 airport facilities required to be acquired, constructed,
17 installed or equipped pursuant to, contracts entered into
18 before March 1, 1996 (but not including any amendments to
19 such a contract taking effect on or after that date).

20 "Aggregate extension" for all taxing districts to which
21 this Law applies in accordance with paragraph (2) of
22 subsection (e) of Section 18-213 means the annual corporate
23 extension for the taxing district and those special purpose
24 extensions that are made annually for the taxing district,
25 excluding special purpose extensions: (a) made for the taxing
26 district to pay interest or principal on general obligation
27 bonds that were approved by referendum; (b) made for any
28 taxing district to pay interest or principal on general
29 obligation bonds issued before the effective date of this
30 amendatory Act of 1997; (c) made for any taxing district to
31 pay interest or principal on bonds issued to refund or
32 continue to refund those bonds issued before the effective
33 date of this amendatory Act of 1997; (d) made for any taxing
34 district to pay interest or principal on bonds issued to

1 refund or continue to refund bonds issued after the effective
2 date of this amendatory Act of 1997 if the bonds were
3 approved by referendum after the effective date of this
4 amendatory Act of 1997; (e) made for any taxing district to
5 pay interest or principal on revenue bonds issued before the
6 effective date of this amendatory Act of 1997 for payment of
7 which a property tax levy or the full faith and credit of the
8 unit of local government is pledged; however, a tax for the
9 payment of interest or principal on those bonds shall be made
10 only after the governing body of the unit of local government
11 finds that all other sources for payment are insufficient to
12 make those payments; (f) made for payments under a building
13 commission lease when the lease payments are for the
14 retirement of bonds issued by the commission before the
15 effective date of this amendatory Act of 1997 to pay for the
16 building project; (g) made for payments due under installment
17 contracts entered into before the effective date of this
18 amendatory Act of 1997; (h) made for payments of principal
19 and interest on limited bonds, as defined in Section 3 of the
20 Local Government Debt Reform Act, in an amount not to exceed
21 the debt service extension base less the amount in items (b),
22 (c), and (e) of this definition for non-referendum
23 obligations, except obligations initially issued pursuant to
24 referendum; (i) made for payments of principal and interest
25 on bonds issued under Section 15 of the Local Government Debt
26 Reform Act; and (j) made for a qualified airport authority to
27 pay interest or principal on general obligation bonds issued
28 for the purpose of paying obligations due under, or financing
29 airport facilities required to be acquired, constructed,
30 installed or equipped pursuant to, contracts entered into
31 before March 1, 1996 (but not including any amendments to
32 such a contract taking effect on or after that date).

33 "Debt service extension base" means an amount equal to
34 that portion of the extension for a taxing district for the

1 1994 levy year, or for those taxing districts subject to this
2 Law in accordance with Section 18-213, except for those
3 subject to paragraph (2) of subsection (e) of Section 18-213,
4 for the levy year in which the referendum making this Law
5 applicable to the taxing district is held, or for those
6 taxing districts subject to this Law in accordance with
7 paragraph (2) of subsection (e) of Section 18-213 for the
8 1996 levy year, constituting an extension for payment of
9 principal and interest on bonds issued by the taxing district
10 without referendum, but not including (i) bonds authorized by
11 Public Act 88-503 and issued under Section 20a of the Chicago
12 Park District Act for aquarium and museum projects; (ii)
13 bonds issued under Section 15 of the Local Government Debt
14 Reform Act; or (iii) refunding obligations issued to refund
15 or to continue to refund obligations initially issued
16 pursuant to referendum. The debt service extension base may
17 be established or increased as provided under Section 18-212.

18 "Special purpose extensions" include, but are not limited
19 to, extensions for levies made on an annual basis for
20 unemployment and workers' compensation, self-insurance,
21 contributions to pension plans, and extensions made pursuant
22 to Section 6-601 of the Illinois Highway Code for a road
23 district's permanent road fund whether levied annually or
24 not. The extension for a special service area is not
25 included in the aggregate extension.

26 "Aggregate extension base" means the taxing district's
27 last preceding aggregate extension as adjusted under Sections
28 18-215 through 18-230.

29 "Levy year" has the same meaning as "year" under Section
30 1-155.

31 "New property" means (i) the assessed value, after final
32 board of review or board of appeals action, of new
33 improvements or additions to existing improvements on any
34 parcel of real property that increase the assessed value of

1 that real property during the levy year multiplied by the
2 equalization factor issued by the Department under Section
3 17-30 and (ii) the assessed value, after final board of
4 review or board of appeals action, of real property not
5 exempt from real estate taxation, which real property was
6 exempt from real estate taxation for any portion of the
7 immediately preceding levy year, multiplied by the
8 equalization factor issued by the Department under Section
9 17-30. In addition, the county clerk in a county containing
10 a population of 3,000,000 or more shall include in the 1997
11 recovered tax increment value for any school district, any
12 recovered tax increment value that was applicable to the 1995
13 tax year calculations.

14 "Qualified airport authority" means an airport authority
15 organized under the Airport Authorities Act and located in a
16 county bordering on the State of Wisconsin and having a
17 population in excess of 200,000 and not greater than 500,000.

18 "Recovered tax increment value" means, except as
19 otherwise provided in this paragraph, the amount of the
20 current year's equalized assessed value, in the first year
21 after a municipality terminates the designation of an area as
22 a redevelopment project area previously established under the
23 Tax Increment Allocation Development Act in the Illinois
24 Municipal Code, previously established under the Industrial
25 Jobs Recovery Law in the Illinois Municipal Code, or
26 previously established under the Economic Development Area
27 Tax Increment Allocation Act, of each taxable lot, block,
28 tract, or parcel of real property in the redevelopment
29 project area over and above the initial equalized assessed
30 value of each property in the redevelopment project area.
31 For the taxes which are extended for the 1997 levy year, the
32 recovered tax increment value for a non-home rule taxing
33 district that first became subject to this Law for the 1995
34 levy year because a majority of its 1994 equalized assessed

1 value was in an affected county or counties shall be
2 increased if a municipality terminated the designation of an
3 area in 1993 as a redevelopment project area previously
4 established under the Tax Increment Allocation Development
5 Act in the Illinois Municipal Code, previously established
6 under the Industrial Jobs Recovery Law in the Illinois
7 Municipal Code, or previously established under the Economic
8 Development Area Tax Increment Allocation Act, by an amount
9 equal to the 1994 equalized assessed value of each taxable
10 lot, block, tract, or parcel of real property in the
11 redevelopment project area over and above the initial
12 equalized assessed value of each property in the
13 redevelopment project area. In the first year after a
14 municipality removes a taxable lot, block, tract, or parcel
15 of real property from a redevelopment project area
16 established under the Tax Increment Allocation Development
17 Act in the Illinois Municipal Code, the Industrial Jobs
18 Recovery Law in the Illinois Municipal Code, or the Economic
19 Development Area Tax Increment Allocation Act, "recovered tax
20 increment value" means the amount of the current year's
21 equalized assessed value of each taxable lot, block, tract,
22 or parcel of real property removed from the redevelopment
23 project area over and above the initial equalized assessed
24 value of that real property before removal from the
25 redevelopment project area.

26 Except as otherwise provided in this Section, "limiting
27 rate" means a fraction the numerator of which is the last
28 preceding aggregate extension base times an amount equal to
29 one plus the extension limitation defined in this Section and
30 the denominator of which is the current year's equalized
31 assessed value of all real property in the territory under
32 the jurisdiction of the taxing district during the prior levy
33 year. For those taxing districts that reduced their
34 aggregate extension for the last preceding levy year, the

1 highest aggregate extension in any of the last 3 preceding
 2 levy years shall be used for the purpose of computing the
 3 limiting rate. The denominator shall not include new
 4 property. The denominator shall not include the recovered
 5 tax increment value.

6 (Source: P.A. 90-485, eff. 1-1-98; 90-511, eff. 8-22-97;
 7 90-568, eff. 1-1-99; 90-616, eff. 7-10-98; 90-655, eff.
 8 7-30-98; 91-357, eff. 7-29-99; 91-478, eff. 11-1-99.)

9 Section 10. The Counties Code is amended by changing
 10 Section 5-1062.1 as follows:

11 (55 ILCS 5/5-1062.1) (from Ch. 34, par. 5-1062.1)

12 Sec. 5-1062.1. Stormwater management planning councils
 13 in Cook County.

14 (a) Stormwater management planning in Cook County shall
 15 be conducted as provided in Section 7h of the Metropolitan
 16 Water Reclamation District Act. References in this Section
 17 to the "District" mean the Metropolitan Water Reclamation
 18 District of Greater Chicago.

19 The purpose of this Section is to create planning
 20 councils, organized by watershed, to contribute to the
 21 stormwater management planning process by advising the
 22 Metropolitan Water Reclamation District of Greater Chicago
 23 and representing the needs and interests of the members of
 24 the public and the local governments included within their
 25 respective watersheds. ~~allow-management-and-mitigation-of-the~~
 26 ~~effects--of--urbanization--on--stormwater--drainage--in--Cook~~
 27 ~~County,~~ ~~and~~ This Section applies only to Cook County. In
 28 addition, ~~this-Section-is-intended-to-improve-stormwater--and~~
 29 ~~floodplain-management-in-Cook-County-by-the-following:~~

30 (1) ~~Setting--minimum--standards--for-floodplain-and~~
 31 ~~stormwater-management.~~

32 (2) ~~Preparing--plans---for---the---management---of~~

1 floodplains--and---stormwater---runoff,---including---the
2 management-of-natural-and-man-made-drainage-ways.

3 (b) The-purpose-of-this-Section-shall-be-achieved-by-the
4 following:

5 (1)--Creating--6 Stormwater management planning councils
6 shall be formed for each of the following according--to--the
7 established watersheds of the Chicago Metropolitan Area:
8 North Branch Chicago River, Lower Des Plaines Tributaries,
9 Cal-Sag Channel, Little Calumet River, Poplar Creek, and
10 Upper Salt Creek. In addition, a stormwater management
11 planning council shall be established for the combined sewer
12 areas of Cook County. Additional stormwater management
13 planning councils may be formed by the District Stormwater
14 Management-Planning-Committee for other watersheds within
15 Cook County.

16 Membership on the watershed councils shall consist of the
17 chief elected official, or his or her designee, from each
18 municipality and township within the watershed and the Cook
19 County Board President, or his or her designee, if
20 unincorporated area is included in the watershed. A
21 municipality or township shall be a member of more than one
22 watershed council if the corporate boundaries of that
23 municipality, or township extend entered into more than one
24 watershed, or if the municipality or township is served in
25 part by separate sewers and combined sewers.

26 Subcommittees of the stormwater management planning
27 councils may be established to assist the stormwater
28 management planning councils in performing their duties
29 preparing-and-implementing-a-stormwater-management-plan. The
30 councils may adopt bylaws to govern the functioning of the
31 stormwater management councils and subcommittees.

32 (2)--Creating,---by---intergovernmental---agreement,---a
33 county-wide-Stormwater-Management-Planning-Committee-with-its
34 membership---consisting--of--the--Chairman--of--each--of--the

1 watershed--management--councils,--the---Cook---County---Board
 2 President--or--his--designee,--and--the-Northeastern-Illinois
 3 Planning-Commission-President-or-his-designee.

4 (c) (3) The principal duties of the watershed planning
 5 councils shall be to advise the District on the development
 6 and implementation of the countywide develop--a stormwater
 7 management plan with respect to matters relating to their
 8 respective watersheds and to advise and represent the
 9 concerns of for-the-watershed-area-and-to-recommend-the-plan
 10 for--adoption--to the units of local government in the
 11 watershed area. The councils shall meet at least quarterly
 12 and shall hold at least one public hearing during the
 13 preparation of the plan. Adoption--of--the--watershed--plan
 14 shall-be-by-each-municipality-in-the-watershed-and-by-vote-of
 15 the-County-Board.

16 (d) (4) The District principal-duty-of-the-county-wide
 17 Stormwater-Management-Planning-Committee shall give careful
 18 consideration to the recommendations and concerns of the
 19 watershed planning councils throughout the planning process.
 20 be--to--coordinate--the-6-watershed-plans-as-developed-and-to
 21 coordinate-the-planning-process-with-the--adjoining--counties
 22 to--ensure--that-recommended-stormwater-projects-will-have-no
 23 significant--adverse--impact--on--the--levels--or--flows---of
 24 stormwater--in--the-inter-county-watershed-or-on-the-capacity
 25 of-existing-and-planned-stormwater-retention-facilities. The
 26 District Committee shall identify in an annual published
 27 report steps taken by the District to accommodate the
 28 concerns and recommendations of the watershed planning
 29 councils. Committee-to-coordinate--the--development--of--plan
 30 recommendations-with-adjoining-counties.--The-Committee-shall
 31 also---publish--a--coordinated--stormwater--document--of--all
 32 activity-in-the-Cook-County-area-and-agreed--upon--stormwater
 33 planning-standards.

34 (5)--The--stormwater--management-planning-committee-shall

1 submit the coordinated watershed plans to the Office of Water
 2 Resources of the Department of Natural Resources and to the
 3 Northeastern Illinois Planning Commission for review and
 4 recommendation. The Office and the Commission, in reviewing
 5 the plan, shall consider those factors as impact on the level
 6 of flows in the rivers and streams and the cumulative effects
 7 of stormwater discharges on flood levels. The review
 8 comments and recommendations shall be submitted to the
 9 watershed councils for consideration.

10 (e) (6) The stormwater management planning councils
 11 committee may recommend rules and regulations to the District
 12 watershed councils governing the location, width, course, and
 13 release rates of all stormwater runoff channels, streams, and
 14 basins in their respective watersheds the county.

15 (f) (7) The Northwest Municipal Conference, the South
 16 Suburban Mayors and Managers Association, and the West
 17 Central Municipal Conference shall be responsible for the
 18 coordination of the planning councils created under this
 19 Section.

20 (Source: P.A. 88-649, eff. 9-16-94; 89-445, eff. 2-7-96.)

21 Section 15. The Metropolitan Water Reclamation District
 22 Act is amended by changing Sections 3 and 12 by adding
 23 Section 7h as follows:

24 (70 ILCS 2605/3) (from Ch. 42, par. 322)
 25 Sec. 3. The corporate authority of the Sanitary District
 26 of Chicago shall consist of 9 commissioners nine trustees.
 27 Commissioners shall be elected at the general election from
 28 the same geographical subdistricts from which members of the
 29 Cook County Board of Review are elected. No political party
 30 shall limit its nominations to less than 2 candidates for
 31 commissioner in any subdistrict. In electing commissioners,
 32 including those for nomination, each elector may cast 3 votes

1 for one candidate or distribute them equally among no more
2 than 3 candidates. The candidates highest in votes shall be
3 declared elected.

4 Three commissioners shall be elected from the first
5 subdistrict in 2002 for terms of 4 years, in 2006 for terms
6 of 4 years, and in 2010 for terms of 2 years.

7 Three commissioners shall be elected from the second
8 subdistrict in 2004 for terms of 4 years and in 2008 for
9 terms of 4 years.

10 Three commissioners shall be elected from the third
11 subdistrict in 2006 for terms of 2 years and in 2008 for
12 terms of 4 years,

13 Beginning with the election of commissioners in 2012,
14 commissioners from the first subdistrict shall be elected for
15 4-year terms, 4-year terms, and 2-year terms; commissioners
16 from the second subdistrict shall be elected for 4-year
17 terms, 2-year terms, and 4-year terms; and commissioners from
18 the third subdistrict shall be elected for 2-year terms,
19 4-year terms, and 4-year terms. Such--trustees--shall--be
20 elected--for--staggered--terms--at--the--election--provided--by--the
21 general--election--law.---Three--trustees--shall--be--elected--at
22 each--such--election--to--succeed--the--3--trustees--whose--terms
23 expire--in--such--year.

24 Such commissioners trustees shall take office on the
25 first Tuesday after the first Monday in the month following
26 the month of their election and shall hold their offices for
27 six-years-and until their successors shall be elected and
28 qualified. In--all--elections--for--trustees--each--elector--may
29 vote--for--as--many--candidates--as--there--are--trustees--to--be
30 elected,--but--no--elector--may--give--to--such--candidates--more--than
31 one--vote,--it--being--the--intent--and--purpose--of--this--Act--to
32 prohibit--cumulative--voting--in--the--selection--of--members--of--the
33 board--of--the--sanitary--district.

34 The election of commissioners trustees shall be in

1 accordance with the provisions of the general election law.

2 By reason of the importance and character of the services
3 performed by the sanitary district, there is a great need and
4 it is in the public interest that such services be performed
5 in as near a non-partisan character as possible.

6 When a vacancy exists in the office of commissioner
7 ~~trustees--of--any--sanitary--district--organized--under---the~~
8 ~~provisions--hereof~~, the vacancy shall be filled by appointment
9 by the Governor. If 28 or fewer months remain in the term of
10 the vacant office, the appointment shall be for the remainder
11 of the term. If more than 28 months remain in the term of
12 the vacant office, the appointment shall be until the next
13 general regular election at which a commissioner shall be
14 ~~trustees-of-the-Sanitary-District-of-Chicago-are~~ elected for
15 the remainder of the term, and thereafter until a successor
16 shall be elected and qualified.

17 Such sanitary district shall from the time of the first
18 election held by it under this Act be construed in all courts
19 to be a body corporate and politic, and by the name and style
20 of the sanitary district of....., and by such name and style
21 may sue and be sued, contract and be contracted with, acquire
22 and hold real estate and personal property necessary for
23 corporate purposes, and adopt a common seal and alter the
24 same at pleasure.

25 The board of commissioners trustees shall have the power
26 to change the name of the Sanitary District of Chicago by
27 ordinance and public notice without impairing the legal
28 status of acts theretofore performed by said district.
29 Thereafter any and all references to the Sanitary District of
30 Chicago in this Act or otherwise shall mean and include the
31 name under which such sanitary district is then operating.
32 No rights, duties or privilege of such a sanitary district,
33 or those of any person, existing before the change of name
34 shall be affected by a change, in the name of a sanitary

1 district. All proceedings pending in any court in favor of
2 or against such sanitary district may continue to final
3 consummation under the name in which they were commenced.

4 (Source: P.A. 83-345.)

5 (70 ILCS 2605/7h new)

6 Sec. 7h. Stormwater management.

7 (a) Stormwater management in Cook County shall be under
8 the general supervision of the Metropolitan Water Reclamation
9 District of Greater Chicago. The District has the authority
10 to plan, manage, implement, and finance activities relating
11 to stormwater management in Cook County. The authority of
12 the District with respect to stormwater management extends
13 throughout Cook County and is not limited to the area
14 otherwise within the territory and jurisdiction of the
15 District under this Act.

16 For the purposes of this Section, the term "stormwater
17 management" includes, without limitation, the management of
18 floods and floodwaters.

19 (b) The District may utilize the resources of
20 cooperating local watershed councils (including the
21 stormwater management planning councils created under Section
22 5-1062.1 of the Counties Code), councils of local
23 governments, the Northeastern Illinois Planning Commission,
24 and similar organizations and agencies. The District may
25 provide those organizations and agencies with funding, on a
26 contractual basis, for providing information to the District,
27 providing information to the public, or performing other
28 activities related to stormwater management.

29 The District may enter into agreements with responsible
30 agencies in adjoining counties for the purpose of
31 accommodating planning activities on a watershed basis.

32 The District may enter into intergovernmental agreements
33 with Cook County or other units of local government that are

1 located in whole or in part outside the District for the
2 purpose of implementing the stormwater management plan and
3 providing stormwater management services in areas not
4 included within the territory of the District.

5 (c) The District shall prepare and adopt by ordinance a
6 countywide stormwater management plan for Cook County. The
7 countywide plan may incorporate one or more separate
8 watershed plans.

9 Prior to adopting the countywide stormwater management
10 plan, the District shall hold at least one public hearing
11 thereon and shall afford interested persons an opportunity to
12 be heard.

13 (d) The District may prescribe by ordinance reasonable
14 rules and regulations for floodplain and stormwater
15 management and for governing the location, width, course, and
16 release rate of all stormwater runoff channels, streams, and
17 basins in Cook County, in accordance with the adopted
18 stormwater management plan. These rules and regulations
19 shall, at a minimum, meet the standards for floodplain
20 management established by the Office of Water Resources of
21 the Department of Natural Resources and the requirements of
22 the Federal Emergency Management Agency for participation in
23 the National Flood Insurance Program.

24 (e) The District may impose fees on areas outside the
25 District but within Cook County to mitigate the effects of
26 increased stormwater runoff resulting from new development.
27 The fees shall not exceed the cost of satisfying the onsite
28 stormwater retention or detention requirements of the adopted
29 stormwater management plan. The fees shall be used to
30 finance activities undertaken by the District or units of
31 local government within the District to mitigate the effects
32 of urban stormwater runoff by providing regional stormwater
33 retention or detention facilities, as identified in the plan.
34 All such fees collected by the District shall be held in a

1 separate fund.

2 (f) Amounts realized from the tax levy for stormwater
3 management purposes authorized in Section 12 may be used by
4 the District for implementing this Section and for the
5 development, design, planning, construction, operation, and
6 maintenance of regional stormwater facilities provided for in
7 the stormwater management plan.

8 The proceeds of any tax imposed under Section 12 for
9 stormwater management purposes and any revenues generated as
10 a result of the ownership or operation of facilities or land
11 acquired with the proceeds of taxes imposed under Section 12
12 for stormwater management purposes shall be held in a
13 separate fund and used either for implementing this Section
14 or to abate those taxes.

15 (g) The District may plan, implement, finance, and
16 operate regional stormwater management projects in accordance
17 with the adopted countywide stormwater management plan.

18 The District shall provide for public review and comment
19 on proposed stormwater management projects. The District
20 shall conform to State and federal requirements concerning
21 public information, environmental assessments, and
22 environmental impacts for projects receiving State or federal
23 funds.

24 The District may issue bonds under Section 9.6a of this
25 Act for the purpose of funding stormwater management
26 projects.

27 The District shall not use Cook County Forest Preserve
28 District land for stormwater or flood control projects
29 without the consent of the Forest Preserve District.

30 (h) Upon the creation and implementation of a county
31 stormwater management plan, the District may petition the
32 circuit court to dissolve any or all drainage districts
33 created pursuant to the Illinois Drainage Code or predecessor
34 Acts that are located entirely within the District.

1 However, any active drainage district implementing a plan
2 that is consistent with and at least as stringent as the
3 county stormwater management plan may petition the District
4 for exception from dissolution. Upon filing of the petition,
5 the District shall set a date for hearing not less than 2
6 weeks, nor more than 4 weeks, from the filing thereof, and
7 the District shall give at least one week's notice of the
8 hearing in one or more newspapers of general circulation
9 within the drainage district, and in addition shall cause a
10 copy of the notice to be personally served upon each of the
11 trustees of the drainage district. At the hearing, the
12 District shall hear the drainage district's petition and
13 allow the drainage district trustees and any interested
14 parties an opportunity to present oral and written evidence.
15 The District shall render its decision upon the petition for
16 exception from dissolution based upon the best interests of
17 the residents of the drainage district. In the event that
18 the exception is not allowed, the drainage district may file
19 a petition with the circuit court within 30 days of the
20 decision. In that case, the notice and hearing requirements
21 for the court shall be the same as provided in this
22 subsection for the petition to the District. The court shall
23 render its decision of whether to dissolve the district based
24 upon the best interests of the residents of the drainage
25 district.

26 The dissolution of a drainage district shall not affect
27 the obligation of any bonds issued or contracts entered into
28 by the drainage district nor invalidate the levy, extension,
29 or collection of any taxes or special assessments upon the
30 property in the former drainage district. All property and
31 obligations of the former drainage district shall be assumed
32 and managed by the District, and the debts of the former
33 drainage district shall be discharged as soon as practicable.

34 If a drainage district lies only partly within the

1 District, the District may petition the circuit court to
2 disconnect from the drainage district that portion of the
3 drainage district that lies within the District. The
4 property of the drainage district within the disconnected
5 area shall be assumed and managed by the District. The
6 District shall also assume a portion of the drainage
7 district's debt at the time of disconnection, based on the
8 portion of the value of the taxable property of the drainage
9 district which is located within the area being disconnected.

10 A drainage district that continues to exist within Cook
11 County shall conform its operations to the countywide
12 stormwater management plan.

13 (i) The District may assume responsibility for
14 maintaining any stream within Cook County.

15 (j) The District may, after 10 days written notice to
16 the owner or occupant, enter upon any lands or waters within
17 the county for the purpose of inspecting stormwater
18 facilities or causing the removal of any obstruction to an
19 affected watercourse. The District shall be responsible for
20 any damages occasioned thereby.

21 (k) The District shall report to the public annually on
22 its activities and expenditures under this Section and the
23 adopted countywide stormwater management plan.

24 (l) The powers granted to the District under this
25 Section are in addition to the other powers granted under
26 this Act. This Section does not limit the powers of the
27 District under any other provision of this Act or any other
28 law.

29 (m) This Section does not affect the power or duty of
30 any unit of local government to take actions relating to
31 flooding or stormwater, so long as those actions conform with
32 this Section and the plans, rules, and ordinances adopted by
33 the District under this Section.

34 A home rule unit located in whole or in part in Cook

1 County may not regulate stormwater management or planning in
2 Cook County in a manner inconsistent with this Section or the
3 plans, rules, and ordinances adopted by the District under
4 this Section. Pursuant to paragraph (i) of Section 6 of
5 Article VII of the Illinois Constitution, this Section
6 specifically denies and limits the exercise of any power that
7 is inconsistent with this Section by a home rule unit that is
8 a county with a population of 1,500,000 or more or is
9 located, in whole or in part, within such a county.

10 (70 ILCS 2605/12) (from Ch. 42, par. 332)

11 Sec. 12. The board of commissioners annually may levy
12 taxes for corporate purposes upon property within the
13 territorial limits of such sanitary district, the aggregate
14 amount of which, exclusive of the amount levied for (a) the
15 payment of bonded indebtedness and the interest on bonded
16 indebtedness (b) employees' annuity and benefit purposes (c)
17 construction purposes, and (d) for the purpose of
18 establishing and maintaining a reserve fund for the payment
19 of claims, awards, losses, judgments or liabilities which
20 might be imposed on such sanitary district under the Workers'
21 Compensation Act or the Workers' Occupational Diseases Act,
22 and any claim in tort, including but not limited to, any
23 claim imposed upon such sanitary district under the Local
24 Governmental and Governmental Employees Tort Immunity Act,
25 and for the repair or replacement of any property owned by
26 such sanitary district which is damaged by fire, flood,
27 explosion, vandalism or any other peril, natural or manmade,
28 shall not exceed the sum produced by extending the rate of
29 .46% for each of the years year 1979 through 2000 and by
30 extending the rate of 0.41% for the year 2001 and each year
31 thereafter, upon the assessed valuation of all taxable
32 property within the sanitary district as equalized and
33 determined for State and local taxes.

1 In addition, for stormwater management purposes as
2 provided in subsection (f) of Section 7h, the board of
3 commissioners may levy taxes for the year 2001 and each year
4 thereafter at a rate not to exceed 0.05% of the assessed
5 valuation of all taxable property within the district as
6 equalized and determined for State and local taxes.

7 And In addition thereto, for construction purposes as
8 defined in Section 5.2 of this Act, the board of
9 commissioners may levy taxes for the year 1985 and each year
10 thereafter which shall be at a rate not to exceed .10% of the
11 assessed valuation of all taxable property within the
12 sanitary district as equalized and determined for State and
13 local taxes. Amounts realized from taxes so levied for
14 construction purposes shall be limited for use to such
15 purposes and shall not be available for appropriation or used
16 to defray the cost of repairs to or expense of maintaining or
17 operating existing or future facilities, but such
18 restrictions, however, shall not apply to additions,
19 alterations, enlargements, and replacements which will add
20 appreciably to the value, utility, or the useful life of said
21 facilities.

22 Such rates shall be extended against the assessed
23 valuation of the taxable property within the corporate limits
24 as the same shall be assessed and equalized for the county
25 taxes for the year in which the levy is made and said board
26 shall cause the amount to be raised by taxation in each year
27 to be certified to the county clerk on or before the
28 thirtieth day of March; provided, however, that if during the
29 budget year the General Assembly authorizes an increase in
30 such rates, the board of commissioners may adopt a
31 supplemental levy and shall make such certification to the
32 County Clerk on or before the thirtieth day of December.

33 For the purpose of establishing and maintaining a reserve
34 fund for the payment of claims, awards, losses, judgments or

1 liabilities which might be imposed on such sanitary district
2 under the Workers' Compensation Act or the Workers'
3 Occupational Diseases Act, and any claim in tort, including
4 but not limited to, any claim imposed upon such sanitary
5 district under the Local Governmental and Governmental
6 Employees Tort Immunity Act, and for the repair or
7 replacement, where the cost thereof exceeds the sum of
8 \$10,000, of any property owned by such sanitary district
9 which is damaged by fire, flood, explosion, vandalism or any
10 other peril, natural or man-made, such sanitary district may
11 also levy annually upon all taxable property within its
12 territorial limits a tax not to exceed .005% of the assessed
13 valuation of said taxable property as equalized and
14 determined for State and local taxes; provided, however, the
15 aggregate amount which may be accumulated in such reserve
16 fund shall not exceed .05% of such assessed valuation.

17 All taxes so levied and certified shall be collected and
18 enforced in the same manner and by the same officers as State
19 and county taxes, and shall be paid over by the officer
20 collecting the same to the treasurer of the sanitary
21 district, in the manner and at the time provided by the
22 general revenue law. No part of the taxes hereby authorized
23 shall be used by such sanitary district for the construction
24 of permanent, fixed, immovable bridges across any channel
25 constructed under the provisions of this Act. All bridges
26 built across such channel shall not necessarily interfere
27 with or obstruct the navigation of such channel, when the
28 same becomes a navigable stream, as provided in Section 24 of
29 this Act, but such bridges shall be so constructed that they
30 can be raised, swung or moved out of the way of vessels,
31 tugs, boats or other water craft navigating such channel.
32 Nothing in this Act shall be so construed as to compel said
33 district to maintain or operate said bridges, as movable
34 bridges, for a period of 9 years from and after the time when

1 the water has been turned into said channel pursuant to law,
2 unless the needs of general navigation of the Des Plaines and
3 Illinois Rivers, when connected by said channel, sooner
4 require it. In levying taxes the board of commissioners, in
5 order to produce the net amount required by the levies for
6 payment of bonds and interest thereon, shall include an
7 amount or rate estimated to be sufficient to cover losses in
8 collection of taxes, the cost of collecting taxes, abatements
9 in the amount of such taxes as extended on the collector's
10 books and the amount of such taxes collection of which will
11 be deferred; the amount so added for the purpose of producing
12 the net amount required shall not exceed any applicable
13 maximum tax rate or amount.

14 (Source: P.A. 84-630.)

15 (70 ILCS 2605/4b rep.)

16 Section 20. The Metropolitan Water Reclamation District
17 is amended by repealing Section 4b.

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