



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4607

by Rep. Kelly Burke

SYNOPSIS AS INTRODUCED:

70 ILCS 2605/4

from Ch. 42, par. 323

70 ILCS 2605/4.13

from Ch. 42, par. 323.13

Amends the Metropolitan Water Reclamation District Act. Provides that the executive director of the board of the District shall appoint an administrative services officer with the advice and consent of the board. Further provides that the administrative services officer is not included within the classified civil service. Effective immediately.

LRB099 17271 AWJ 41629 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Metropolitan Water Reclamation District Act
5 is amended by changing Sections 4 and 4.13 as follows:

6 (70 ILCS 2605/4) (from Ch. 42, par. 323)

7 Sec. 4. The commissioners elected under this Act constitute
8 a board of commissioners for the district by which they are
9 elected, which board of commissioners is the corporate
10 authority of the sanitary district, and, in addition to all
11 other powers specified in this Act, shall establish the
12 policies and goals of the sanitary district. The executive
13 director, in addition to all other powers specified in this
14 Act, shall manage and control all the affairs and property of
15 the sanitary district and shall regularly report to the Board
16 of Commissioners on the activities of the sanitary district in
17 executing the policies and goals established by the board. At
18 the regularly scheduled meeting of odd numbered years following
19 the induction of new commissioners the board of commissioners
20 shall elect from its own number a president and a
21 vice-president to serve in the absence of the president, and
22 the chairman of the committee on finance. The board shall
23 provide by rule when a vacancy occurs in the office of the

1 president, vice-president, or the chairman of the committee on
2 finance and the manner of filling such vacancy.

3 The board shall appoint from outside its own number the
4 executive director and treasurer for the district.

5 The executive director must be a resident of the sanitary
6 district and a citizen of the United States. He must be
7 selected solely upon his administrative and technical
8 qualifications and without regard to his political
9 affiliations.

10 In the event of illness or other prolonged absence, death
11 or resignation creating a vacancy in the office of the
12 executive director, or treasurer, the board of commissioners
13 may appoint an acting officer from outside its own number, to
14 perform the duties and responsibilities of the office during
15 the term of the absence or vacancy.

16 The executive director, with the advice and consent of the
17 board of commissioners, shall appoint the director of
18 engineering, director of maintenance and operations, director
19 of human resources, director of procurement and materials
20 management, clerk, general counsel, director of monitoring and
21 research, and director of information technology. These
22 constitute the heads of the Department of Engineering,
23 Maintenance and Operations, Human Resources, Procurement and
24 Materials Management, Finance, Law, Monitoring and Research,
25 and Information Technology, respectively. No other departments
26 or heads of departments may be created without subsequent

1 amendment to this Act. All such department heads are under the
2 direct supervision of the executive director.

3 The executive director, with the advice and consent of the
4 board of commissioners, shall appoint a public and
5 intergovernmental affairs officer and an administrative
6 services officer. The public and intergovernmental affairs
7 officer shall and administrative services officer serve under
8 the direct supervision of the executive director.

9 The director of human resources must be qualified under
10 Section 4.2a of this Act.

11 The director of procurement and materials management must
12 be selected in accordance with Section 11.16 of this Act.

13 In the event of illness or other prolonged absence, death
14 or resignation creating a vacancy in the office of director of
15 engineering, director of maintenance and operations, director
16 of human resources, director of procurement and materials
17 management, clerk, general counsel, director of monitoring and
18 research, public and intergovernmental affairs officer,
19 administrative services officer, or director of information
20 technology, the executive director shall appoint an acting
21 officer to perform the duties and responsibilities of the
22 office during the term of the absence or vacancy. Any such
23 officers appointed in an acting capacity are under the direct
24 supervision of the executive director.

25 All appointive officers and acting officers shall give bond
26 as may be required by the board.

1 The executive director, treasurer, acting executive
2 director, and acting treasurer hold their offices at the
3 pleasure of the board of commissioners.

4 The acting director of engineering, acting director of
5 maintenance and operations, acting director of human
6 resources, acting director of procurement and materials
7 management, acting clerk, acting general counsel, acting
8 director of monitoring and research, acting public and
9 intergovernmental affairs officer, acting administrative
10 services officer, and acting director of information
11 technology hold their offices at the pleasure of the executive
12 director.

13 The director of engineering, director of maintenance and
14 operations, director of human resources, director of
15 procurement and materials management, clerk, general counsel,
16 director of monitoring and research, public and
17 intergovernmental affairs officer, administrative services
18 officer, and director of information technology may be removed
19 from office for cause by the executive director. Prior to
20 removal, such officers are entitled to a public hearing before
21 the executive director at which hearing they may be represented
22 by counsel. Before the hearing, the executive director shall
23 notify the board of commissioners of the date, time, place and
24 nature of the hearing.

25 In addition to the general counsel appointed by the
26 executive director, the board of commissioners may appoint from

1 outside its own number an attorney, or retain counsel, to
2 advise the board of commissioners with respect to its powers
3 and duties and with respect to legal questions and matters of
4 policy for which the board of commissioners is responsible.

5 The executive director is the chief administrative officer
6 of the district, has supervision over and is responsible for
7 all administrative and operational matters of the sanitary
8 district including the duties of all employees which are not
9 otherwise designated by law, and is the appointing authority as
10 specified in Section 4.11 of this Act.

11 The board, through the budget process, shall set the
12 compensation of all the officers and employees of the sanitary
13 district. Any incumbent of the office of president may appoint
14 an administrative aide which appointment remains in force
15 during his incumbency unless revoked by the president.

16 Effective upon the election in January, 1985 of the
17 president and vice-president of the board of commissioners and
18 the chairman of the committee on finance, the annual salary of
19 the president shall be \$37,500 and shall be increased to
20 \$39,500 in January, 1987, \$41,500 in January, 1989, \$50,000 in
21 January, 1991, and \$60,000 in January, 2001; the annual salary
22 of the vice-president shall be \$35,000 and shall be increased
23 to \$37,000 in January, 1987, \$39,000 in January, 1989, \$45,000
24 in January, 1991, and \$55,000 in January, 2001; the annual
25 salary of the chairman of the committee on finance shall be
26 \$32,500 and shall be increased to \$34,500 in January, 1987,

1 \$36,500 in January, 1989, \$45,000 in January, 1991, and \$55,000
2 in January, 2001.

3 The annual salaries of the other members of the Board shall
4 be as follows:

5 For the three members elected in November, 1980, \$26,500
6 per annum for the first two years of the term; \$28,000 per
7 annum for the next two years of the term and \$30,000 per annum
8 for the last two years.

9 For the three members elected in November, 1982, \$28,000
10 per annum for the first two years of the term and \$30,000 per
11 annum thereafter.

12 For members elected in November, 1984, \$30,000 per annum.

13 For the three members elected in November, 1986, \$32,000
14 for each of the first two years of the term, \$34,000 for each
15 of the next two years and \$36,000 for the last two years;

16 For three members elected in November, 1988, \$34,000 for
17 each of the first two years of the term and \$36,000 for each
18 year thereafter.

19 For members elected in November, 1990, 1992, 1994, 1996, or
20 1998, \$40,000.

21 For members elected in November, 2000 and thereafter,
22 \$50,000.

23 Notwithstanding the other provisions of this Section, the
24 board, prior to January 1, 2007 and with a two-thirds vote, may
25 increase the annual rate of compensation at a separate flat
26 amount for each of the following: the president, the

1 vice-president, the chairman of the committee on finance, and
2 the other members; the increased annual rate of compensation
3 shall apply to all such officers and members whose terms as
4 members of the board commence after the increase in
5 compensation is adopted by the board.

6 The board of commissioners has full power to pass all
7 necessary ordinances, orders, rules, resolutions and
8 regulations for the proper management and conduct of the
9 business of the board of commissioners and the corporation and
10 for carrying into effect the object for which the sanitary
11 district is formed. All ordinances, orders, rules, resolutions
12 and regulations passed by the board of commissioners must,
13 before they take effect, be approved by the president of the
14 board of commissioners. If he approves thereof, he shall sign
15 them, and such as he does not approve he shall return to the
16 board of commissioners with his objections in writing at the
17 next regular meeting of the board of commissioners occurring
18 after the passage thereof. Such veto may extend to any one or
19 more items or appropriations contained in any ordinance making
20 an appropriation, or to the entire ordinance. If the veto
21 extends to a part of such ordinance, the residue takes effect.
22 If the president of such board of commissioners fails to return
23 any ordinance, order, rule, resolution or regulation with his
24 objections thereto in the time required, he is deemed to have
25 approved it, and it takes effect accordingly. Upon the return
26 of any ordinance, order, rule, resolution, or regulation by the

1 president, the vote by which it was passed must be reconsidered
2 by the board of commissioners, and if upon such reconsideration
3 two-thirds of all the members agree by yeas and nays to pass
4 it, it takes effect notwithstanding the president's refusal to
5 approve thereof.

6 It is the policy of this State that all powers granted,
7 either expressly or by necessary implication, by this Act or
8 any other Illinois statute to the District may be exercised by
9 the District notwithstanding effects on competition. It is the
10 intention of the General Assembly that the "State action
11 exemption" to the application of federal antitrust statutes be
12 fully available to the District to the extent its activities
13 are authorized by law as stated herein.

14 (Source: P.A. 97-893, eff. 8-3-12; 98-463, eff. 8-16-13.)

15 (70 ILCS 2605/4.13) (from Ch. 42, par. 323.13)

16 Sec. 4.13. The following offices and places of employment,
17 insofar as there are or may be such in the sanitary district,
18 shall not be included within the classified civil service: All
19 elective officers, the director of human resources, the clerk,
20 treasurer, director of engineering, general counsel, executive
21 director, director of maintenance and operations, director of
22 procurement and materials management, director of monitoring
23 and research, director of information technology, public and
24 intergovernmental affairs officer, administrative services
25 officer, and secretary and administrative aide to the president

1 of the board of trustees, members of the civil service board
2 and special examiners appointed by the civil service board and
3 the secretaries to the officers and individual trustees, and
4 those employed for periods not exceeding 5 years under any
5 apprentice program, training or intern programs funded wholly
6 or in part by grants from the State of Illinois or the United
7 States of America. Further, apprentices in a sanitary district
8 apprenticeship program for the trades shall not be included
9 within the classified civil service. Entry into a sanitary
10 district apprenticeship program for the trades shall be by
11 lottery. Graduates of a sanitary district apprenticeship
12 program for the trades shall be given additional points, in an
13 amount to be determined by the Director of Human Resources, on
14 examinations for civil service journeymen positions in the
15 trades at the sanitary district.

16 (Source: P.A. 97-893, eff. 8-3-12.)

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