



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0867

Introduced 2/2/2005, by Rep. Angelo Saviano

SYNOPSIS AS INTRODUCED:

70 ILCS 2605/4

from Ch. 42, par. 323

Amends the Metropolitan Water Reclamation District Act. Provides that the Board, through the budget process and with a 2/3 vote, may set the compensation of its members elected in November, 2006 and thereafter. Effective immediately.

LRB094 06145 EFG 36210 b

1 AN ACT concerning sanitary districts.

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 Section 4 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 general
13 superintendent, in addition to all other powers specified in
14 this Act, shall manage and control all the affairs and property
15 of the sanitary district and shall regularly report to the
16 Board of Commissioners on the activities of the sanitary
17 district in executing the policies and goals established by the
18 board. At the regularly scheduled meeting of odd numbered years
19 following the induction of new commissioners the board of
20 commissioners 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
24 president, vice-president, or the chairman of the committee on
25 finance and the manner of filling such vacancy.

26 The board shall appoint from outside its own number the
27 general superintendent and treasurer for the district.

28 The general superintendent must be a resident of the
29 sanitary district and a citizen of the United States. He must
30 be selected solely upon his administrative and technical
31 qualifications and without regard to his political
32 affiliations.

1 In the event of illness or other prolonged absence, death
2 or resignation creating a vacancy in the office of the general
3 superintendent, or treasurer, the board of commissioners may
4 appoint an acting officer from outside its own number, to
5 perform the duties and responsibilities of the office during
6 the term of the absence or vacancy.

7 The general superintendent with the advice and consent of
8 the board of commissioners, shall appoint the chief engineer,
9 chief of maintenance and operations, director of personnel,
10 purchasing agent, clerk, attorney, director of research and
11 development, and director of information technology. These
12 constitute the heads of the Department of Engineering,
13 Maintenance and Operations, Personnel, Purchasing, Finance,
14 Law, Research and Development, and Information Technology,
15 respectively. No other departments or heads of departments may
16 be created without subsequent amendment to this Act. All such
17 department heads are under the direct supervision of the
18 general superintendent.

19 The director of personnel must be qualified under Section
20 4.2a of this Act.

21 The purchasing agent must be selected in accordance with
22 Section 11.16 of this Act.

23 In the event of illness or other prolonged absence, death
24 or resignation creating a vacancy in the office of chief
25 engineer, chief of maintenance and operations, director of
26 personnel, purchasing agent, clerk, attorney, director of
27 research and development, or director of information
28 technology, the general superintendent shall appoint an acting
29 officer to perform the duties and responsibilities of the
30 office during the term of the absence or vacancy. Any such
31 officers appointed in an acting capacity are under the direct
32 supervision of the general superintendent.

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

35 The general superintendent, treasurer, acting general
36 superintendent and acting treasurer hold their offices at the

1 pleasure of the board of commissioners.

2 The acting chief engineer, acting chief of maintenance and
3 operations, acting purchasing agent, acting director of
4 personnel, acting clerk, acting attorney, acting director of
5 research and development, and acting director of information
6 technology hold their offices at the pleasure of the general
7 superintendent.

8 The chief engineer, chief of maintenance and operations,
9 director of personnel, purchasing agent, clerk, attorney,
10 director of research and development, and director of
11 information technology may be removed from office for cause by
12 the general superintendent. Prior to removal, such officers are
13 entitled to a public hearing before the general superintendent
14 at which hearing they may be represented by counsel. Before the
15 hearing, the general superintendent shall notify the board of
16 commissioners of the date, time, place and nature of the
17 hearing.

18 In addition to the attorney appointed by the general
19 superintendent, the board of commissioners may appoint from
20 outside its own number an attorney, or retain counsel, to
21 advise the board of commissioners with respect to its powers
22 and duties and with respect to legal questions and matters of
23 policy for which the board of commissioners is responsible.

24 The general superintendent is the chief administrative
25 officer of the district, has supervision over and is
26 responsible for all administrative and operational matters of
27 the sanitary district including the duties of all employees
28 which are not otherwise designated by law, and is the
29 appointing authority as specified in Section 4.11 of this Act.

30 The board, through the budget process, shall set ~~fix~~ the
31 compensation of all the officers and employees of the sanitary
32 district. Any incumbent of the office of president may appoint
33 an administrative aide which appointment remains in force
34 during his incumbency unless revoked by the president.

35 Effective upon the election in January, 1985 of the
36 president and vice-president of the board of commissioners and

1 the chairman of the committee on finance, the annual salary of
2 the president shall be \$37,500 and shall be increased to
3 \$39,500 in January, 1987, \$41,500 in January, 1989, \$50,000 in
4 January, 1991, and \$60,000 in January, 2001; the annual salary
5 of the vice-president shall be \$35,000 and shall be increased
6 to \$37,000 in January, 1987, \$39,000 in January, 1989, \$45,000
7 in January, 1991, and \$55,000 in January, 2001; the annual
8 salary of the chairman of the committee on finance shall be
9 \$32,500 and shall be increased to \$34,500 in January, 1987,
10 \$36,500 in January, 1989, \$45,000 in January, 1991, and \$55,000
11 in January, 2001.

12 The annual salaries of the other members of the Board shall
13 be as follows:

14 For the three members elected in November, 1980, \$26,500
15 per annum for the first two years of the term; \$28,000 per
16 annum for the next two years of the term and \$30,000 per annum
17 for the last two years.

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

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

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

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

28 For members elected in November, 1990, 1992, 1994, 1996, or
29 1998, \$40,000.

30 For members elected in November, 2000 and thereafter,
31 \$50,000.

32 Notwithstanding the other provisions of this Section, the
33 board, through the budget process and with a 2/3 vote, may set
34 the compensation of its members elected in November, 2006 and
35 thereafter.

36 The board of commissioners has full power to pass all

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

26 It is the policy of this State that all powers granted,
27 either expressly or by necessary implication, by this Act or
28 any other Illinois statute to the District may be exercised by
29 the District notwithstanding effects on competition. It is the
30 intention of the General Assembly that the "State action
31 exemption" to the application of federal antitrust statutes be
32 fully available to the District to the extent its activities
33 are authorized by law as stated herein.

34 (Source: P.A. 91-722, eff. 6-2-00.)

35 Section 99. Effective date. This Act takes effect upon

1 becoming law.