



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3438

Introduced 2/7/2012, by Sen. M. Maggie Crotty

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 position of public and intergovernmental affairs officer of the Metropolitan Water Reclamation District does not qualify as classified civil service. Further provides that the public and intergovernmental affairs officer shall be appointed by the executive director, and in the event of illness, prolonged absence, death, or resignation, the executive director of the Metropolitan Water Reclamation District may appoint an acting public and intergovernmental affairs officer to perform the duties of the position. Effective immediately.

LRB097 16003 KMW 61154 b

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. The public and
6 intergovernmental affairs officer shall serve under the direct
7 supervision of the executive director.

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

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

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

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

25 The executive director, treasurer, acting executive
26 director, and acting treasurer hold their offices at the

1 pleasure of the board of commissioners.

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

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

22 In addition to the general counsel appointed by the
23 executive director, the board of commissioners may appoint from
24 outside its own number an attorney, or retain counsel, to
25 advise the board of commissioners with respect to its powers
26 and duties and with respect to legal questions and matters of

1 policy for which the board of commissioners is responsible.

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

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

13 Effective upon the election in January, 1985 of the
14 president and vice-president of the board of commissioners and
15 the chairman of the committee on finance, the annual salary of
16 the president shall be \$37,500 and shall be increased to
17 \$39,500 in January, 1987, \$41,500 in January, 1989, \$50,000 in
18 January, 1991, and \$60,000 in January, 2001; the annual salary
19 of the vice-president shall be \$35,000 and shall be increased
20 to \$37,000 in January, 1987, \$39,000 in January, 1989, \$45,000
21 in January, 1991, and \$55,000 in January, 2001; the annual
22 salary of the chairman of the committee on finance shall be
23 \$32,500 and shall be increased to \$34,500 in January, 1987,
24 \$36,500 in January, 1989, \$45,000 in January, 1991, and \$55,000
25 in January, 2001.

26 The annual salaries of the other members of the Board shall

1 be as follows:

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

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

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

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

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

16 For members elected in November, 1990, 1992, 1994, 1996, or
17 1998, \$40,000.

18 For members elected in November, 2000 and thereafter,
19 \$50,000.

20 Notwithstanding the other provisions of this Section, the
21 board, prior to January 1, 2007 and with a two-thirds vote, may
22 increase the annual rate of compensation at a separate flat
23 amount for each of the following: the president, the
24 vice-president, the chairman of the committee on finance, and
25 the other members; the increased annual rate of compensation
26 shall apply to all such officers and members whose terms as

1 members of the board commence after the increase in
2 compensation is adopted by the board.

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

1 it, it takes effect notwithstanding the president's refusal to
2 approve thereof.

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

11 (Source: P.A. 94-1069, eff. 11-29-06; 95-923, eff. 1-1-09.)

12 (70 ILCS 2605/4.13) (from Ch. 42, par. 323.13)

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

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

13 (Source: P.A. 95-923, eff. 1-1-09.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.