

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 Metro-East Sanitary District Act of 1974 is  
5 amended by changing Sections 3-1 and 3-3 as follows:

6 (70 ILCS 2905/3-1) (from Ch. 42, par. 503-1)

7 Sec. 3-1. The district shall be governed by a Board of  
8 Commissioners, consisting of 5 commissioners. Two ~~Three~~ of the  
9 commissioners shall be residents of that portion of the  
10 district in the county having the greater equalized assessed  
11 valuation of the district, and 2 shall be residents of that  
12 portion of the district in the other county. The appointment of  
13 commissioners from each county shall be made by the chairman of  
14 the county board of that county with the advice and consent of  
15 the county board, except that in the case of a home rule county  
16 as defined by Article VII, Section 6, of the Constitution of  
17 1970 the appointment shall be made by the chief executive  
18 officer of the county with the advice and consent of the county  
19 board. Beginning on the effective date of this amendatory Act  
20 of the 101st General Assembly, the mayor, or his or her  
21 designee, of the largest municipality in the county having the  
22 greater equalized assessed valuation of the district shall be  
23 an ex officio commissioner with a right to vote. If there is

1 not a vacant commissioner position from the county having the  
2 greater equalized assessed valuation on the effective date of  
3 this amendatory Act of the 101st General Assembly, then the  
4 term of the last appointed commissioner from that county is  
5 terminated on the effective date of this amendatory Act of the  
6 101st General Assembly.

7 The appointed commissioners from each county may not be  
8 from the same political party. ~~Of the 5 commissioners, no more~~  
9 ~~than 3 may be of the same political party. Of the 3~~  
10 ~~commissioners from the county entitled to 3 appointments, no~~  
11 ~~more than 2 may be of the same political party. The 2~~  
12 ~~commissioners from the other county shall not be of the same~~  
13 ~~political party.~~

14 The County Board Chairman of either county may remove any  
15 of the appointed commissioners from his or her county with the  
16 advice and consent of the county board.

17 In the first appointments to the Board of Commissioners,  
18 the appointing authority appointing 3 directors shall  
19 designate one appointee to serve for a term of one year, one  
20 for a term of 3 years and one for a term of 5 years, and the  
21 appointing authority appointing 2 directors shall designate  
22 one to serve for a term of 2 years and one for a term of 4  
23 years. Thereafter one commissioner shall be appointed by the  
24 appropriate appointing authority each year for a term of 5  
25 years to succeed the director whose term expires in that year.  
26 Any vacancy on the Board of Commissioners shall be filled by

1 appointment by the appropriate appointing authority for the  
2 remainder of the unexpired term.

3 For the purpose of determining the ex officio commissioner,  
4 the county having the greater equalized assessed valuation of  
5 the district shall be established on January 1 of each year,  
6 and the ex officio commissioner shall serve until January 1 of  
7 the following year. ~~If the relative equalized assessed~~  
8 ~~valuation changes so that the position of the 2 counties with~~  
9 ~~respect to majority and minority representation on the board is~~  
10 ~~reversed, the next appointment that would otherwise have been~~  
11 ~~made by the appointing authority for the county formerly~~  
12 ~~entitled to 3 directors shall be made by the appointing~~  
13 ~~authority for the other county.~~

14 (Source: P.A. 83-1422.)

15 (70 ILCS 2905/3-3) (from Ch. 42, par. 503-3)

16 Sec. 3-3. (a) The board of commissioners shall be the  
17 corporate authority of the district. The board shall appoint an  
18 Executive Director who shall be the chief executive and  
19 administrative officer of the district and who shall have the  
20 powers provided in Article 4 of this Act. The Executive  
21 Director shall be a resident of the district.

22 The Executive Director's contract shall not: (1) be for a  
23 period longer than 1 year; (2) contain provisions allowing  
24 retroactive pay; (3) contain provisions allowing bonus pay; (4)  
25 limit termination for cause to a specific time period; (5)

1 contain provisions allowing severance pay; (6) contain  
2 provisions allowing mutual non-disparaging agreements; or (7)  
3 contain provisions allowing arbitration.

4 The board may select a clerk and a treasurer.

5 The board shall, at its first meeting each year, select a  
6 president from its own membership.

7 (b) The board of commissioners shall maintain the  
8 facilities and properties under the district's control, or  
9 supervision for purposes of maintenance, in compliance with the  
10 standards prescribed by the Department of Natural Resources.

11 (Source: P.A. 89-445, eff. 2-7-96.)