



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**SB2197**

Introduced 1/14/2004, by James A. DeLeo

**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, 2004 and thereafter. Effective immediately.

LRB093 15614 MKM 41221 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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, 2004 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.