

AN ACT concerning local government.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The board may select a clerk and a treasurer.

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

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

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