



Rep. Jay Hoffman

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10000SB2368ham002

LRB100 17936 AWJ 40193 a

1 AMENDMENT TO SENATE BILL 2368

2 AMENDMENT NO. _____. Amend Senate Bill 2368 by replacing
3 everything after the enacting clause with the following:

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

1 1970 the appointment shall be made by the chief executive
2 officer of the county with the advice and consent of the county
3 board. Beginning on the effective date of this amendatory Act
4 of the 100th General Assembly, the mayor of the largest
5 municipality in the county having the greater equalized
6 assessed valuation of the district shall be an ex officio
7 commissioner with a right to vote. If there is not a vacant
8 commissioner position from the county having the greater
9 equalized assessed valuation on the effective date of this
10 amendatory Act of the 100th General Assembly, then the term of
11 the last appointed commissioner from that county is terminated
12 on the effective date of this amendatory Act of the 100th
13 General Assembly.

14 The appointed commissioners from each county may not be
15 from the same political party. Of the 5 commissioners, no more
16 than 3 may be of the same political party. Of the 3
17 commissioners from the county entitled to 3 appointments, no
18 more than 2 may be of the same political party. The 2
19 commissioners from the other county shall not be of the same
20 political party.

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

24 In the first appointments to the Board of Commissioners,
25 the appointing authority appointing 3 directors shall
26 designate one appointee to serve for a term of one year, one

1 for a term of 3 years and one for a term of 5 years, and the
2 appointing authority appointing 2 directors shall designate
3 one to serve for a term of 2 years and one for a term of 4
4 years. Thereafter one commissioner shall be appointed by the
5 appropriate appointing authority each year for a term of 5
6 years to succeed the director whose term expires in that year.
7 Any vacancy on the Board of Commissioners shall be filled by
8 appointment by the appropriate appointing authority for the
9 remainder of the unexpired term.

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

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

22 (70 ILCS 2905/3-3) (from Ch. 42, par. 503-3)

23 Sec. 3-3. (a) The board of commissioners shall be the
24 corporate authority of the district. The board shall appoint an
25 Executive Director who shall be the chief executive and

1 administrative officer of the district and who shall have the
2 powers provided in Article 4 of this Act. The Executive
3 Director shall be a resident of the district.

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.)

12 Section 10. (a) The Director of the Department of Natural
13 Resources, on behalf of the State of Illinois, is authorized to
14 exchange certain real property in St. Clair County, Illinois,
15 hereinafter referred to as Parcel 1, for certain real property
16 of equal or greater value in St. Clair County, Illinois,
17 hereinafter referred to as Parcel 2, the Parcels being
18 described as follows:

19 PARCEL 1:

20 Legal Description: Part of a tract described in Warranty
21 Deed from the East St. Louis Park District to the People of
22 the State of Illinois, date May 1, 1946 and recorded May 3,
23 1946 in Book 1044, Page 532 St. Clair County, Illinois,

1 described more particularly as follows: Beginning at an
2 Iron Pin marking the location of a disturbed Stone
3 described in the description of said tract and being the
4 Southeasterly point of Lot 13 of the Final Subdivision Plat
5 of Race Horse Business Park to the Village of Alorton and
6 St. Clair County, Illinois, recorded June 9, 2005 in Plat
7 Book 105, Pages 83-85; thence on an assumed bearing of
8 North 01 degrees 36 minutes 21 seconds West along said
9 tract and Lot 13, 1517.66 feet to an iron pin marking the
10 Northeasterly corner of said Lot 13; thence South 89
11 degrees 33 minutes 27 seconds East, 150.10 feet; thence
12 South 01 degrees 36 minutes 21 seconds East parallel to the
13 East line of said Lot 13, 1683.83 feet to a line of said
14 tract and Northeasterly line of the Final Subdivision Plat
15 of Race Horse Business Park to the Village of Alorton and
16 St. Clair County, Illinois, recorded June 9, 2005 in Plat
17 Book 105, Pages 83-85; thence North 42 degrees 46 minutes
18 29 seconds West along said tract and subdivision, 227.87
19 feet to the Point of Beginning, containing 5.51 acres, more
20 or less, in St. Clair County, Illinois.

21 PARCEL 2:

22 Legal Description: Outlot D of the Final Subdivision Plat
23 of Race Horse Business Park to the Village of Alorton and
24 St. Clair County, Illinois, recorded June 9, 2005 in Plat

1 Book 105, Pages 83-85, also being more particularly
2 described as follows: A part of Lot 3 of the "Cahokia
3 Commonfields" according to the plat thereof recorded in
4 Plat Book "E" on Pages 16 and 17 in the St. Clair County
5 Recorder's Office and being a part of U.S. Surveys 130 and
6 625 and being more particularly described as follows:
7 Commencing at a pipe at the intersection of the
8 Northeasterly right-of-way line of Illinois Route 15 (new
9 F.A.P. Route 103 - varying width), with the Southeasterly
10 line of the East Side Levee and Sanitary District Project
11 17 (Harding Ditch); thence on an assumed bearing of North
12 46 degrees 35 minutes 57 seconds East on said Southeasterly
13 line, 190.99 feet to an iron pin on the Southwesterly line
14 of Lot 3 of said "Cahokia Commonfields" and the Point of
15 Beginning; thence continuing North 46 degrees 35 minutes 57
16 seconds East on said Southeasterly line, 1336.78 feet to a
17 pipe on the Northeasterly line of said Lot 3; thence South
18 42 degrees 41 minutes 48 seconds East on said Northeasterly
19 line, 382.75 feet to a pipe on the Northwesterly line of
20 East Side Levee and Sanitary District Project 12; thence
21 South 45 degrees 18 minutes 18 seconds West on said
22 Northwesterly line 1329.54 feet to the Southwesterly line
23 of said Lot 3; thence North 43 degrees 48 minutes 03
24 seconds West on said Southwesterly line, 412.76 feet to the
25 Point of Beginning, containing 12.17 acres, more or less.

26 (b) The conveyance of Parcel 1 as authorized by this

1 Section shall be made subject to existing public utilities,
2 existing public roads, and any and all reservations, easements,
3 encumbrances, covenants, and restrictions of record.

4 (c) The Director of the Department of Natural Resources
5 shall obtain an opinion of title from the Attorney General
6 certifying that the State of Illinois will receive merchantable
7 title to the real property referred to in this Section as
8 Parcel 2.

9 (d) This transaction will be to the mutual advantages of
10 both parties. Each party shall be responsible for any and all
11 title costs associated with their respective properties.

12 Section 15. The Director of Natural Resources shall obtain
13 a certified copy of the portions of this Act containing the
14 title, the enacting clause, the effective date, the appropriate
15 Section or Sections containing the land descriptions of the
16 property to be conveyed, and this Section within 60 days after
17 its effective date and, upon receipt of the payment required by
18 the Section or Sections, if any payment is required, shall
19 record the certified document in the Recorder' s Office in the
20 County in which the land is located.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."