



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5316

Introduced 1/31/2022, by Rep. Cyril Nichols

SYNOPSIS AS INTRODUCED:

70 ILCS 2605/4

from Ch. 42, par. 323

Amends the Metropolitan Water Reclamation District Act. Provides that the Board of Commissioners of the Metropolitan Water Reclamation District shall appoint from outside its own number an Inspector General or enter into an intergovernmental agreement with another unit of local government for the appointment of an Inspector General. Provides that the Board of Commissioners shall establish minimum qualifications and duties for the Inspector General by ordinance or intergovernmental agreement. Effective immediately.

LRB102 25047 AWJ 34306 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 Section 4 as follows:

6 (70 ILCS 2605/4) (from Ch. 42, par. 323)

7 Sec. 4. The commissioners elected under this Act
8 constitute a board of commissioners for the district by which
9 they are elected, which board of commissioners is the
10 corporate authority of the sanitary district, and, in addition
11 to all 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
19 following the induction of new commissioners the board of
20 commissioners shall elect from its own number a president and
21 a 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 and an administrative
6 services officer. The public and intergovernmental affairs
7 officer and administrative services officer shall serve under
8 the direct supervision of the executive director.

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

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

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

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

1 The executive director, treasurer, acting executive
2 director, and acting treasurer hold their offices at the
3 pleasure of the board of commissioners.

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

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

25 In addition to the general counsel appointed by the
26 executive director, the board of commissioners may appoint

1 from outside its own number an attorney, or retain counsel, to
2 advise the board of commissioners with respect to its powers
3 and duties and with respect to legal questions and matters of
4 policy for which the board of commissioners is responsible.

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

11 The board of commissioners shall appoint from outside its
12 own number an Inspector General or enter into an
13 intergovernmental agreement with another unit of local
14 government for the appointment of an Inspector General. The
15 board of commissioners shall establish minimum qualifications
16 and duties for the Inspector General by ordinance or
17 intergovernmental agreement.

18 The board, through the budget process, shall set the
19 compensation of all the officers and employees of the sanitary
20 district. Any incumbent of the office of president may appoint
21 an administrative aide which appointment remains in force
22 during his incumbency unless revoked by the president.

23 Effective upon the election in January, 1985 of the
24 president and vice-president of the board of commissioners and
25 the chairman of the committee on finance, the annual salary of
26 the president shall be \$37,500 and shall be increased to

1 \$39,500 in January, 1987, \$41,500 in January, 1989, \$50,000 in
2 January, 1991, and \$60,000 in January, 2001; the annual salary
3 of the vice-president shall be \$35,000 and shall be increased
4 to \$37,000 in January, 1987, \$39,000 in January, 1989, \$45,000
5 in January, 1991, and \$55,000 in January, 2001; the annual
6 salary of the chairman of the committee on finance shall be
7 \$32,500 and shall be increased to \$34,500 in January, 1987,
8 \$36,500 in January, 1989, \$45,000 in January, 1991, and
9 \$55,000 in January, 2001.

10 The annual salaries of the other members of the Board
11 shall be as follows:

12 For the three members elected in November, 1980,
13 \$26,500 per annum for the first two years of the term;
14 \$28,000 per annum for the next two years of the term and
15 \$30,000 per annum for the last two years.

16 For the three members elected in November, 1982,
17 \$28,000 per annum for the first two years of the term and
18 \$30,000 per annum thereafter.

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

21 For the three members elected in November, 1986,
22 \$32,000 for each of the first two years of the term,
23 \$34,000 for each of the next two years and \$36,000 for the
24 last two years;

25 For three members elected in November, 1988, \$34,000
26 for each of the first two years of the term and \$36,000 for

1 each year thereafter.

2 For members elected in November, 1990, 1992, 1994,
3 1996, or 1998, \$40,000.

4 For members elected in November, 2000 and thereafter,
5 \$50,000.

6 Notwithstanding the other provisions of this Section, the
7 board, prior to January 1, 2007 and with a two-thirds vote, may
8 increase the annual rate of compensation at a separate flat
9 amount for each of the following: the president, the
10 vice-president, the chairman of the committee on finance, and
11 the other members; the increased annual rate of compensation
12 shall apply to all such officers and members whose terms as
13 members of the board commence after the increase in
14 compensation is adopted by the board.

15 The board of commissioners has full power to pass all
16 necessary ordinances, orders, rules, resolutions and
17 regulations for the proper management and conduct of the
18 business of the board of commissioners and the corporation and
19 for carrying into effect the object for which the sanitary
20 district is formed. All ordinances, orders, rules, resolutions
21 and regulations passed by the board of commissioners must,
22 before they take effect, be approved by the president of the
23 board of commissioners. If he approves thereof, he shall sign
24 them, and such as he does not approve he shall return to the
25 board of commissioners with his objections in writing at the
26 next regular meeting of the board of commissioners occurring

1 after the passage thereof. Such veto may extend to any one or
2 more items or appropriations contained in any ordinance making
3 an appropriation, or to the entire ordinance. If the veto
4 extends to a part of such ordinance, the residue takes effect.
5 If the president of such board of commissioners fails to
6 return any ordinance, order, rule, resolution or regulation
7 with his objections thereto in the time required, he is deemed
8 to have approved it, and it takes effect accordingly. Upon the
9 return of any ordinance, order, rule, resolution, or
10 regulation by the president, the vote by which it was passed
11 must be reconsidered by the board of commissioners, and if
12 upon such reconsideration two-thirds of all the members agree
13 by yeas and nays to pass it, it takes effect notwithstanding
14 the president's refusal to approve thereof.

15 It is the policy of this State that all powers granted,
16 either expressly or by necessary implication, by this Act or
17 any other Illinois statute to the District may be exercised by
18 the District notwithstanding effects on competition. It is the
19 intention of the General Assembly that the "State action
20 exemption" to the application of federal antitrust statutes be
21 fully available to the District to the extent its activities
22 are authorized by law as stated herein.

23 (Source: P.A. 98-463, eff. 8-16-13; 99-736, eff. 1-1-17.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.