

AN ACT concerning the Metropolitan Water Reclamation District.

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

Section 5. The Metropolitan Water Reclamation District Act is amended by changing Section 4 as follows:

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

Sec. 4. The commissioners elected under this Act constitute a board of commissioners for the district by which they are elected, which board of commissioners is the corporate authority of the sanitary district, and, in addition to all other powers specified in this Act, shall establish the policies and goals of the sanitary district. The general superintendent, in addition to all other powers specified in this Act, shall manage and control all the affairs and property of the sanitary district and shall regularly report to the Board of Commissioners on the activities of the sanitary district in executing the policies and goals established by the board. At the regularly scheduled meeting of odd numbered years following the induction of new commissioners the board of commissioners shall elect from its own number a president and a vice-president to serve in the absence of the president, and the chairman of the committee on finance. The board shall provide by rule when a vacancy occurs in the office of the president, vice-president, or the chairman of the committee on finance and the manner of filling such vacancy.

The board shall appoint from outside its own number the general superintendent and treasurer for the district.

The general superintendent must be a resident of the sanitary district and a citizen of the United States. He must be selected solely upon his administrative and technical qualifications and without regard to his political

affiliations.

In the event of illness or other prolonged absence, death or resignation creating a vacancy in the office of the general superintendent, or treasurer, the board of commissioners may appoint an acting officer from outside its own number, to perform the duties and responsibilities of the office during the term of the absence or vacancy.

The general superintendent with the advice and consent of the board of commissioners, shall appoint the chief engineer, chief of maintenance and operations, director of personnel, purchasing agent, clerk, attorney, director of research and development, and director of information technology. These constitute the heads of the Department of Engineering, Maintenance and Operations, Personnel, Purchasing, Finance, Law, Research and Development, and Information Technology, respectively. No other departments or heads of departments may be created without subsequent amendment to this Act. All such department heads are under the direct supervision of the general superintendent.

The director of personnel must be qualified under Section 4.2a of this Act.

The purchasing agent must be selected in accordance with Section 11.16 of this Act.

In the event of illness or other prolonged absence, death or resignation creating a vacancy in the office of chief engineer, chief of maintenance and operations, director of personnel, purchasing agent, clerk, attorney, director of research and development, or director of information technology, the general superintendent shall appoint an acting officer to perform the duties and responsibilities of the office during the term of the absence or vacancy. Any such officers appointed in an acting capacity are under the direct supervision of the general superintendent.

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

The general superintendent, treasurer, acting general

superintendent and acting treasurer hold their offices at the pleasure of the board of commissioners.

The acting chief engineer, acting chief of maintenance and operations, acting purchasing agent, acting director of personnel, acting clerk, acting attorney, acting director of research and development, and acting director of information technology hold their offices at the pleasure of the general superintendent.

The chief engineer, chief of maintenance and operations, director of personnel, purchasing agent, clerk, attorney, director of research and development, and director of information technology may be removed from office for cause by the general superintendent. Prior to removal, such officers are entitled to a public hearing before the general superintendent at which hearing they may be represented by counsel. Before the hearing, the general superintendent shall notify the board of commissioners of the date, time, place and nature of the hearing.

In addition to the attorney appointed by the general superintendent, the board of commissioners may appoint from outside its own number an attorney, or retain counsel, to advise the board of commissioners with respect to its powers and duties and with respect to legal questions and matters of policy for which the board of commissioners is responsible.

The general superintendent is the chief administrative officer of the district, has supervision over and is responsible for all administrative and operational matters of the sanitary district including the duties of all employees which are not otherwise designated by law, and is the appointing authority as specified in Section 4.11 of this Act.

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

Effective upon the election in January, 1985 of the

president and vice-president of the board of commissioners and the chairman of the committee on finance, the annual salary of the president shall be \$37,500 and shall be increased to \$39,500 in January, 1987, \$41,500 in January, 1989, \$50,000 in January, 1991, and \$60,000 in January, 2001; the annual salary of the vice-president shall be \$35,000 and shall be increased to \$37,000 in January, 1987, \$39,000 in January, 1989, \$45,000 in January, 1991, and \$55,000 in January, 2001; the annual salary of the chairman of the committee on finance shall be \$32,500 and shall be increased to \$34,500 in January, 1987, \$36,500 in January, 1989, \$45,000 in January, 1991, and \$55,000 in January, 2001.

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

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

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

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

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

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

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

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

Notwithstanding the other provisions of this Section, the board, prior to January 1, 2007 and with a two-thirds vote, may increase the annual rate of compensation at a separate flat amount for each of the following: the president, the

vice-president, the chairman of the committee on finance, and the other members; the increased annual rate of compensation shall apply to all such officers and members whose terms as members of the board commence after the increase in compensation is adopted by the board.

The board of commissioners has full power to pass all necessary ordinances, orders, rules, resolutions and regulations for the proper management and conduct of the business of the board of commissioners and the corporation and for carrying into effect the object for which the sanitary district is formed. All ordinances, orders, rules, resolutions and regulations passed by the board of commissioners must, before they take effect, be approved by the president of the board of commissioners. If he approves thereof, he shall sign them, and such as he does not approve he shall return to the board of commissioners with his objections in writing at the next regular meeting of the board of commissioners occurring after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance. If the veto extends to a part of such ordinance, the residue takes effect. If the president of such board of commissioners fails to return any ordinance, order, rule, resolution or regulation with his objections thereto in the time required, he is deemed to have approved it, and it takes effect accordingly. Upon the return of any ordinance, order, rule, resolution, or regulation by the president, the vote by which it was passed must be reconsidered by the board of commissioners, and if upon such reconsideration two-thirds of all the members agree by yeas and nays to pass it, it takes effect notwithstanding the president's refusal to approve thereof.

It is the policy of this State that all powers granted, either expressly or by necessary implication, by this Act or any other Illinois statute to the District may be exercised by the District notwithstanding effects on competition. It is the intention of the General Assembly that the "State action

exemption" to the application of federal antitrust statutes be fully available to the District to the extent its activities are authorized by law as stated herein.

(Source: P.A. 91-722, eff. 6-2-00.)

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