



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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3/2/2017	1	Committee of the Whole	Recommended	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF MARCH 2, 2017

#### COMMITTEE ON STATE LEGISLATION AND RULES

The Honorable President Mariyana Spyropoulos and Members of the Board of Commissioners

Recommendations for the State of Illinois 2017 Legislative Program

I respectfully submit the following legislative initiatives and recommendation to the Board of Commissioners for their consideration and guidance.

#### Legislative Initiative No. 1

Authorization to amend the District's Act to allow the District to participate in a nutrient trading program throughout the State of Illinois to meet water quality standards, in the event that nutrient trading becomes available in Illinois.

The District anticipates that forthcoming regulation regarding nutrients and algae will result in more stringent permit limits throughout the state. In order to further reduce nutrient discharges in compliance with tightening permit limits, the District will need to make significant capital improvements at its water reclamation plants in the coming years.

The District anticipates that state regulators will be developing some type of nutrient trading platform and/or recognize nutrient trading as a way to reduce nutrient discharges into the Illinois waterways throughout the state. To that end, the District proposes seeking legislative authority to amend the District's Act to allow the District to participate in a nutrient trading program throughout the state to meet water quality standards, in the event nutrient trading becomes available in Illinois. Nutrient trading can reduce potentially costly capital improvements at District facilities that the District could otherwise be required to incur.

Based on the above, the District anticipates cost savings to its taxpayers while also improving water quality

throughout the State of Illinois.

Legislative Initiative No. 2

Authority to amend the District's Pension Code to provide for pension benefits to those District retirees who retired prior to June 1, 2011 and received a spousal refund and subsequently entered into a Civil Union or became married after February 26, 2014.

The District's Retirement Fund currently has a policy, set by statute that provides for a benefit to the survivor of a District retiree only if the survivor was married to the District retiree at the time of separation from service; the District retiree met the service requirement; and the survivor and District retiree were married at the time of the District retiree's death. This policy has prevented the partners of some retirees in civil unions or marriages who may have retired from the District before state law allowed them to enter into a marriage or civil union from collecting survivor benefits.

On June 1, 2011 the Illinois Religious Freedom Protection and Civil Union Act (Civil Union Act) went into effect, allowing two persons of the same or opposite gender to enter into a legal relationship referred to as a civil union. Parties to a civil union have the same obligations, responsibilities, protections and benefits afforded by Illinois law to a married couple. As a result of the Civil Union Act, all pension benefits previously made available by the District's Retirement Fund to a married retiree and his or her spouse, are now benefits that are available to parties of a civil union.

On June 1, 2014 the Illinois Religious Freedom and Marriage Fairness Act went into effect, legalizing same-sex marriage in Illinois, leaving in place the Civil Union Act, and providing for voluntary conversion of civil unions into marriages.

To that end, the District proposes seeking legislative authority to amend the District's Pension Code to extend pension benefits to those retirees who retired before June 1, 2011 and received a spousal refund because they could not avail themselves of a civil union or marriage until such time as Illinois law was changed. The election period to establish the survivor benefit will be one year and the District retiree will have to repay the original spousal refund plus the actuarial rate of return of 7.5% and will have twenty-four months to make this repayment.

Recommended, David St. Pierre, Executive Director, DSP:RMH:bh

Respectfully Submitted, Martin J. Durkan, Chairman Committee State Legislation and Rules

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for March 2, 2017