



Rep. Jack D. Franks

Filed: 2/24/2014

09800HB3659ham001

LRB098 13071 JLK 55972 a

1 AMENDMENT TO HOUSE BILL 3659

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3659 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Transit Authority Act is  
5 amended by changing Sections 2 and 19 as follows:

6 (70 ILCS 3605/2) (from Ch. 111 2/3, par. 302)

7 Sec. 2. When used in this Act:

8 "Transportation System" means all plants, equipment,  
9 property and rights useful for transportation of passengers for  
10 hire except taxicabs and includes, without limiting the  
11 generality of the foregoing, street railways, elevated  
12 railroads, subways and underground railroads, motor vehicles,  
13 trolley buses, motor buses and any combination thereof.

14 "Metropolitan area of Cook County" embraces all the  
15 territory in the County of Cook, State of Illinois East of the  
16 east line of Range Eleven (11), East of the Third Principal

1 Meridian of the United States Government survey.

2 "Metropolitan area" means the metropolitan area of Cook  
3 County, as above defined.

4 "Authority" means Chicago Transit Authority created by  
5 this Act.

6 "Board" means Chicago Transit Board.

7 "Governor" means Governor of the State of Illinois.

8 "Mayor" means Mayor of the City of Chicago.

9 "Motor vehicle" means every vehicle which is  
10 self-propelled or which is propelled by electric power obtained  
11 from overhead trolley wires but not operated on rails.

12 "Municipal government" means a "municipality" as defined  
13 in Section 1 of Article VII of the Illinois Constitution.

14 "Unit of local government" has the meaning ascribed to it  
15 in Section 1 of Article VII of the Illinois Constitution.

16 (Source: Laws 1955, p. 1166.)

17 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

18 Sec. 19. The governing and administrative body of the  
19 Authority shall be a board consisting of seven members, to be  
20 known as Chicago Transit Board. Members of the Board shall be  
21 residents of the metropolitan area and persons of recognized  
22 business ability. No member of the Board of the Authority shall  
23 hold any other office or employment under the Federal, State or  
24 any County or any municipal government, or any other unit of  
25 local government, except an honorary office without

1 compensation or an office in the National Guard. No employee of  
2 the Authority shall hold any other office or employment under  
3 the Federal, State or any County or any municipal government,  
4 or any other unit of local government, except an office with  
5 compensation not exceeding \$15,000 annually or a position in  
6 the National Guard or the United States military reserves.  
7 Provided, however, that the Chairman may be a member of the  
8 Board of the Regional Transportation Authority. No member of  
9 the Board or employee of the Authority shall have any private  
10 financial interest, profit or benefit in any contract, work or  
11 business of the Authority nor in the sale or lease of any  
12 property to or from the Authority. The salary of each member of  
13 the initial Board shall be \$15,000.00 per annum, and such  
14 salary shall not be increased or diminished during his or her  
15 term of office. The salaries of successor members of the Board  
16 shall be fixed by the Board and shall not be increased or  
17 diminished during their respective terms of office. No Board  
18 member shall be allowed any fees, perquisites or emoluments,  
19 reward or compensation for his or her services as a member or  
20 officer of the Authority aside from his or her salary or  
21 pension, but he or she shall be reimbursed for actual expenses  
22 incurred by him or her in the performance of his or her duties.  
23 (Source: P.A. 95-968, eff. 1-1-09.)

24 Section 10. The Regional Transportation Authority Act is  
25 amended by changing Sections 3.01 and 3B.02 as follows:

1 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

2 Sec. 3.01. Board of Directors. The corporate authorities  
3 and governing body of the Authority shall be a Board consisting  
4 of 13 Directors until April 1, 2008, and 16 Directors  
5 thereafter, appointed as follows:

6 (a) Four Directors appointed by the Mayor of the City of  
7 Chicago, with the advice and consent of the City Council of the  
8 City of Chicago, and, only until April 1, 2008, a fifth  
9 director who shall be the Chairman of the Chicago Transit  
10 Authority. After April 1, 2008, the Mayor of the City of  
11 Chicago, with the advice and consent of the City Council of the  
12 City of Chicago, shall appoint a fifth Director. The Directors  
13 appointed by the Mayor of the City of Chicago shall not be the  
14 Chairman or a Director of the Chicago Transit Authority. Each  
15 such Director shall reside in the City of Chicago.

16 (b) Four Directors appointed by the votes of a majority of  
17 the members of the Cook County Board elected from districts, a  
18 majority of the electors of which reside outside Chicago. After  
19 April 1, 2008, a fifth Director appointed by the President of  
20 the Cook County Board with the advice and consent of the  
21 members of the Cook County Board. Each Director appointed under  
22 this subparagraph shall reside in that part of Cook County  
23 outside Chicago.

24 (c) Until April 1, 2008, 3 Directors appointed by the  
25 Chairmen of the County Boards of DuPage, Kane, Lake, McHenry,

1 and Will Counties, as follows:

2 (i) Two Directors appointed by the Chairmen of the  
3 county boards of Kane, Lake, McHenry and Will Counties,  
4 with the concurrence of not less than a majority of the  
5 Chairmen from such counties, from nominees by the Chairmen.  
6 Each such Chairman may nominate not more than 2 persons for  
7 each position. Each such Director shall reside in a county  
8 in the metropolitan region other than Cook or DuPage  
9 Counties.

10 (ii) One Director appointed by the Chairman of the  
11 DuPage County Board with the advice and consent of the  
12 DuPage County Board. Such Director shall reside in DuPage  
13 County.

14 (d) After April 1, 2008, 5 Directors appointed by the  
15 Chairmen of the County Boards of DuPage, Kane, Lake and McHenry  
16 Counties and the County Executive of Will County, as follows:

17 (i) One Director appointed by the Chairman of the Kane  
18 County Board with the advice and consent of the Kane County  
19 Board. Such Director shall reside in Kane County.

20 (ii) One Director appointed by the County Executive of  
21 Will County with the advice and consent of the Will County  
22 Board. Such Director shall reside in Will County.

23 (iii) One Director appointed by the Chairman of the  
24 DuPage County Board with the advice and consent of the  
25 DuPage County Board. Such Director shall reside in DuPage  
26 County.

1           (iv) One Director appointed by the Chairman of the Lake  
2 County Board with the advice and consent of the Lake County  
3 Board. Such Director shall reside in Lake County.

4           (v) One Director appointed by the Chairman of the  
5 McHenry County Board with the advice and consent of the  
6 McHenry County Board. Such Director shall reside in McHenry  
7 County.

8           (vi) To implement the changes in appointing authority  
9 under this subparagraph (d) the three Directors appointed  
10 under subparagraph (c) and residing in Lake County, DuPage  
11 County, and Kane County respectively shall each continue to  
12 serve as Director until the expiration of their respective  
13 term of office and until his or her successor is appointed  
14 and qualified or a vacancy occurs in the office. Thereupon,  
15 the appointment shall be made by the officials given  
16 appointing authority with respect to the Director whose  
17 term has expired or office has become vacant.

18           (e) The Chairman serving on the effective date of this  
19 amendatory Act of the 95th General Assembly shall continue to  
20 serve as Chairman until the expiration of his or her term of  
21 office and until his or her successor is appointed and  
22 qualified or a vacancy occurs in the office. Upon the  
23 expiration or vacancy of the term of the Chairman then serving  
24 upon the effective date of this amendatory Act of the 95th  
25 General Assembly, the Chairman shall be appointed by the other  
26 Directors, by the affirmative vote of at least 11 of the then

1 Directors with at least 2 affirmative votes from Directors who  
2 reside in the City of Chicago, at least 2 affirmative votes  
3 from Directors who reside in Cook County outside the City of  
4 Chicago, and at least 2 affirmative votes from Directors who  
5 reside in the Counties of DuPage, Lake, Will, Kane, or McHenry.  
6 The chairman shall not be appointed from among the other  
7 Directors. The chairman shall be a resident of the metropolitan  
8 region.

9 (f) Except as otherwise provided by this Act no Director  
10 shall, while serving as such, be an officer, a member of the  
11 Board of Directors or Trustees or an employee of any Service  
12 Board or transportation agency, or be an employee of the State  
13 of Illinois or any department or agency thereof, or of any  
14 municipality, county, or any other unit of local government or  
15 receive any compensation from any elected or appointed office  
16 under the Constitution and laws of Illinois; except that a  
17 Director may be a member of a school board.

18 (g) Each appointment made under this Section and under  
19 Section 3.03 shall be certified by the appointing authority to  
20 the Board, which shall maintain the certifications as part of  
21 the official records of the Authority.

22 (h) (Blank).

23 (Source: P.A. 95-708, eff. 1-18-08.)

24 (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

25 Sec. 3B.02. Commuter Rail Board.

1           (a) Until April 1, 2008, the governing body of the Commuter  
2 Rail Division shall be a board consisting of 7 directors  
3 appointed pursuant to Sections 3B.03 and 3B.04, as follows:

4           (1) One director shall be appointed by the Chairman of  
5 the Board of DuPage County with the advice and consent of  
6 the County Board of DuPage County and shall reside in  
7 DuPage County.

8           (2) Two directors appointed by the Chairmen of the  
9 County Boards of Kane, Lake, McHenry and Will Counties with  
10 the concurrence of not less than a majority of the chairmen  
11 from such counties, from nominees by the Chairmen. Each  
12 such chairman may nominate not more than two persons for  
13 each position. Each such director shall reside in a county  
14 in the metropolitan region other than Cook or DuPage  
15 County.

16           (3) Three directors appointed by the members of the  
17 Cook County Board elected from that part of Cook County  
18 outside of Chicago, or, in the event such Board of  
19 Commissioners becomes elected from single member  
20 districts, by those Commissioners elected from districts,  
21 a majority of the residents of which reside outside  
22 Chicago. In either case, such appointment shall be with the  
23 concurrence of four such Commissioners. Each such director  
24 shall reside in that part of Cook County outside Chicago.

25           (4) One director appointed by the Mayor of the City of  
26 Chicago, with the advice and consent of the City Council of



1 the City of Chicago. Such director shall reside in the City  
2 of Chicago.

3 (5) The chairman shall be appointed by the directors,  
4 from the members of the board, with the concurrence of 5 of  
5 such directors.

6 (b) After April 1, 2008 the governing body of the Commuter  
7 Rail Division shall be a board consisting of 11 directors  
8 appointed, pursuant to Sections 3B.03 and 3B.04, as follows:

9 (1) One Director shall be appointed by the Chairman of  
10 the DuPage County Board with the advice and consent of the  
11 DuPage County Board and shall reside in DuPage County. To  
12 implement the changes in appointing authority under this  
13 Section, upon the expiration of the term of or vacancy in  
14 office of the Director appointed under item (1) of  
15 subsection (a) of this Section who resides in DuPage  
16 County, a Director shall be appointed under this  
17 subparagraph.

18 (2) One Director shall be appointed by the Chairman of  
19 the McHenry County Board with the advice and consent of the  
20 McHenry County Board and shall reside in McHenry County. To  
21 implement the change in appointing authority under this  
22 Section, upon the expiration of the term of or vacancy in  
23 office of the Director appointed under item (2) of  
24 subsection (a) of this Section who resides in McHenry  
25 County, a Director shall be appointed under this  
26 subparagraph.

1           (3) One Director shall be appointed by the Will County  
2 Executive with the advice and consent of the Will County  
3 Board and shall reside in Will County. To implement the  
4 change in appointing authority under this Section, upon the  
5 expiration of the term of or vacancy in office of the  
6 Director appointed under item (2) of subsection (a) of this  
7 Section who resides in Will County, a Director shall be  
8 appointed under this subparagraph.

9           (4) One Director shall be appointed by the Chairman of  
10 the Lake County Board with the advice and consent of the  
11 Lake County Board and shall reside in Lake County.

12           (5) One Director shall be appointed by the Chairman of  
13 the Kane County Board with the advice and consent of the  
14 Kane County Board and shall reside in Kane County.

15           (6) One Director shall be appointed by the Mayor of the  
16 City of Chicago with the advice and consent of the City  
17 Council of the City of Chicago and shall reside in the City  
18 of Chicago. To implement the changes in appointing  
19 authority under this Section, upon the expiration of the  
20 term of or vacancy in office of the Director appointed  
21 under item (4) of subsection (a) of this Section who  
22 resides in the City of Chicago, a Director shall be  
23 appointed under this subparagraph.

24           (7) Five Directors residing in Cook County outside of  
25 the City of Chicago, as follows:

26           (i) One Director who resides in Cook County outside

1 of the City of Chicago, appointed by the President of  
2 the Cook County Board with the advice and consent of  
3 the members of the Cook County Board.

4 (ii) One Director who resides in the township of  
5 Barrington, Palatine, Wheeling, Hanover, Schaumburg,  
6 or Elk Grove. To implement the changes in appointing  
7 authority under this Section, upon the expiration of  
8 the term of or vacancy in office of the Director  
9 appointed under paragraph (3) of subsection (a) of this  
10 Section who resides in the geographic area described in  
11 this subparagraph, a Director shall be appointed under  
12 this subparagraph.

13 (iii) One Director who resides in the township of  
14 Northfield, New Trier, Maine, Niles, Evanston, Leyden,  
15 Norwood Park, River Forest, or Oak Park.

16 (iv) One Director who resides in the township of  
17 Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney,  
18 Lemont, Palos, or Orland. To implement the changes in  
19 appointing authority under this Section, upon the  
20 expiration of the term of or vacancy in office of the  
21 Director appointed under paragraph (3) of subsection  
22 (a) of this Section who resides in the geographic area  
23 described in this subparagraph and whose term of office  
24 had not expired as of August 1, 2007, a Director shall  
25 be appointed under this subparagraph.

26 (v) One Director who resides in the township of

1           Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To  
2           implement the changes in appointing authority under  
3           this Section, upon the expiration of the term of or  
4           vacancy in office of the Director appointed under  
5           paragraph (3) of subsection (a) of this Section who  
6           resides in the geographic area described in this  
7           subparagraph and whose term of office had expired as of  
8           August 1, 2007, a Director shall be appointed under  
9           this subparagraph.

10           (vi) The Directors identified under the provisions  
11           of subparagraphs (ii) through (v) of this paragraph (7)  
12           shall be appointed by the members of the Cook County  
13           Board. Each individual Director shall be appointed by  
14           those members of the Cook County Board whose Board  
15           districts overlap in whole or in part with the  
16           geographic territory described in the relevant  
17           subparagraph. The vote of County Board members  
18           eligible to appoint directors under the provisions of  
19           subparagraphs (ii) through (v) of this paragraph (7)  
20           shall be weighted by the number of electors residing in  
21           those portions of their Board districts within the  
22           geographic territory described in the relevant  
23           subparagraph (ii) through (v) of this paragraph (7).

24           (8) The Chairman shall be appointed by the Directors,  
25           from the members of the Board, with the concurrence of 8 of  
26           such Directors. To implement the changes in appointing

1 authority under this Section, upon the expiration of the  
2 term of or vacancy in office of the Chairman appointed  
3 under item (5) of subsection (a) of this Section, a  
4 Chairman shall be appointed under this subparagraph.

5 (c) No director, while serving as such, shall be an  
6 officer, a member of the board of directors or trustee or an  
7 employee of any transportation agency, or be an employee of the  
8 State of Illinois or any department or agency thereof, or of  
9 any county, municipality, or any other unit of local government  
10 or receive any compensation from any elected or appointed  
11 office under the Constitution and laws of Illinois.

12 (d) Each appointment made under subsections (a) and (b) of  
13 this Section and under Section 3B.03 shall be certified by the  
14 appointing authority to the Commuter Rail Board which shall  
15 maintain the certifications as part of the official records of  
16 the Commuter Rail Board.

17 (Source: P.A. 95-708, eff. 1-18-08.)

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