



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3389

Introduced 2/8/2024, by Sen. Ram Villivalam

SYNOPSIS AS INTRODUCED:

70 ILCS 1707/10
70 ILCS 1707/15
70 ILCS 1707/25
70 ILCS 1707/60
70 ILCS 1707/62
70 ILCS 1707/63 rep.
70 ILCS 1707/70 rep.

Amends the Regional Planning Act. Removes provisions relating to the Chicago Metropolitan Agency for Planning's Wastewater Committee. Provides that approval of four-fifths of the Board of the Chicago Metropolitan Agency for Planning members in office is necessary for the Board to take action regarding the Agency's budget and work plan, a regional plan, the annual federally funded program, the legislative agenda, and any matter regarding the executive director, but action on all other matters shall be taken in accordance with the Board's bylaws. Provides that the Board shall continue directly involving local elected officials in federal program allocation decisions for any other federally suballocated funding as required by law (rather than only directly involving local elected officials in federal program allocation decisions for the Surface Transportation Program and Congestion Mitigation and Air Quality funds). Repeals provisions relating to succession and transfers related to the Northeastern Illinois Planning Commission and a transition period of the Board. Provides that each General Assembly shall appropriate dedicated funding to the Chicago Metropolitan Agency for Planning to fulfill those functions and programs authorized by the Act (rather than additional funding shall be provided to the Agency to support those functions and programs authorized by the Act). Makes other changes.

LRB103 37651 AWJ 67778 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 Regional Planning Act is amended by
5 changing Sections 10, 15, 25, 60, and 62 as follows:

6 (70 ILCS 1707/10)

7 Sec. 10. Definitions.

8 "Board" means the Board of the Chicago Metropolitan Agency
9 for Planning.

10 "CMAP" means the Chicago Metropolitan Agency for Planning.

11 "Chief elected county official" means the Board Chair
12 ~~Chairman~~ in DuPage, Kane, Kendall, Lake, and McHenry Counties
13 and the County Executive in Will County.

14 "Fiscal year" means the fiscal year of the State.

15 "IDOT" means the Illinois Department of Transportation.

16 "MPO" means the metropolitan planning organization
17 designated under 23 U.S.C. 134.

18 "Members" means the members of the Board.

19 "Person" means an individual, partnership, firm, public or
20 private corporation, State agency, transportation agency, or
21 unit of local government.

22 "Policy Committee" means the decision-making body of the
23 MPO.

1 "Region" or "northeastern Illinois region" means Cook,
2 DuPage, Kane, Kendall, Lake, McHenry, and Will Counties.

3 "State agency" means "agency" as defined in Section 1-20
4 of the Illinois Administrative Procedure Act.

5 "Transportation agency" means the Regional Transportation
6 Authority and its Service Boards; the Illinois Toll Highway
7 Authority; the Illinois Department of Transportation; and the
8 transportation functions of units of local government.

9 "Unit of local government" means a unit of local
10 government, as defined in Section 1 of Article VII of the
11 Illinois Constitution, that is located within the jurisdiction
12 and area of operation of the Board.

13 "USDOT" means the United States Department of
14 Transportation.

15 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

16 (70 ILCS 1707/15)

17 Sec. 15. Chicago Metropolitan Agency for Planning;
18 structure.

19 (a) The Chicago Metropolitan Agency for Planning is
20 established as a political subdivision, body politic, and
21 municipal corporation. The Board shall be responsible for
22 developing and adopting a funding and implementation strategy
23 for an integrated land use and transportation planning process
24 for the northeastern Illinois region.

25 (b) (Blank.)

1 (c) The Board shall consist of 15 voting members as
2 follows:

3 (1) One member from DuPage County appointed
4 cooperatively by the mayors of DuPage County and the chief
5 elected county official of DuPage County.

6 (2) One member representing both Kane and Kendall
7 Counties appointed cooperatively by the mayors of Kane
8 County and Kendall County and the chief elected county
9 officials of Kane County and Kendall County.

10 (3) One member from Lake County appointed
11 cooperatively by the mayors of Lake County and the chief
12 elected county official of Lake County.

13 (4) One member from McHenry County appointed
14 cooperatively by the mayors of McHenry County and the
15 chief elected county official of McHenry County.

16 (5) One member from Will County appointed
17 cooperatively by the mayors of Will County and the chief
18 elected county official of Will County.

19 (6) Five members from the City of Chicago appointed by
20 the Mayor of the City of Chicago.

21 (7) One member from that portion of Cook County
22 outside of the City of Chicago appointed by the President
23 of the Cook County Board of Commissioners.

24 (8) Four members from that portion of Cook County
25 outside of the City of Chicago appointed, with the consent
26 of the President of the Cook County Board of

1 Commissioners, as follows:

2 (i) One by the mayors representing those
3 communities in Cook County that are outside of the
4 City of Chicago and north of Devon Avenue.

5 (ii) One by the mayors representing those
6 communities in Cook County that are outside of the
7 City of Chicago, south of Devon Avenue, and north of
8 Interstate 55, and in addition the Village of Summit.

9 (iii) One by the mayors representing those
10 communities in Cook County that are outside of the
11 City of Chicago, south of Interstate 55, and west of
12 Interstate 57, excluding the communities of Summit,
13 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and
14 Tinley Park.

15 (iv) One by the mayors representing those
16 communities in Cook County that are outside of the
17 City of Chicago and east of Interstate 57, and, in
18 addition, the communities of Dixmoor, Posen, Robbins,
19 Midlothian, Oak Forest, and Tinley Park.

20 The terms of the members initially appointed to the Board
21 shall begin within 60 days after this Act takes effect.

22 (d) The CMAP Board may appoint non-voting members of the
23 Board.

24 (e) (Blank). ~~(1) The CMAP Board shall create a Wastewater~~
25 ~~Committee with the responsibility of recommending directly to~~
26 ~~the Illinois Environmental Protection Agency (IEPA) the~~

1 ~~appropriateness of proposed requests for modifications and~~
2 ~~amendments to the established boundaries of wastewater~~
3 ~~facility planning areas, requests for the creation of new~~
4 ~~wastewater facility planning areas, requests for the~~
5 ~~elimination of existing wastewater facility planning areas,~~
6 ~~requests for new or expanded sewage treatment facilities, or~~
7 ~~any other amendments to the State of Illinois Water Quality~~
8 ~~Management Plan required under the federal Clean Water Act.~~
9 ~~The Chairmanship of the Wastewater Committee shall rotate~~
10 ~~every 24 months between the individuals described in~~
11 ~~subsections (c) (2) (iv) and (c) (2) (v) with the individual~~
12 ~~identified in subsection (c) (2) (v) serving as chairman for the~~
13 ~~initial 24-month period commencing on the effective date of~~
14 ~~this amendatory Act of the 95th General Assembly.~~

15 ~~(2) The Wastewater Committee shall consist of 5~~
16 ~~members of the CMAP Board designated as follows:~~

17 ~~(i) One member of the Wastewater Committee shall~~
18 ~~be one of the CMAP Board members designated in~~
19 ~~subsection (c) (1) through (c) (5).~~

20 ~~(ii) One member of the Wastewater Committee shall~~
21 ~~be one of the CMAP Board members designated in~~
22 ~~subsection (c) (6).~~

23 ~~(iii) One member of the Wastewater Committee shall~~
24 ~~be one of the CMAP Board members designated in~~
25 ~~subsection (c) (7) or (c) (8).~~

26 ~~(iv) One member of the Wastewater Committee shall~~

1 ~~be a person appointed by the President of the~~
2 ~~Metropolitan Water Reclamation District of Greater~~
3 ~~Chicago (and who does not need to serve on the CMAP~~
4 ~~Board).~~

5 ~~(v) One member of the Wastewater Committee shall~~
6 ~~be a person appointed by the President of the largest~~
7 ~~statewide association of wastewater agencies (and who~~
8 ~~does not need to serve on the CMAP Board).~~

9 ~~(3) Terms of the members of the Wastewater Committee~~
10 ~~shall be consistent with those identified in Section 25,~~
11 ~~except that the term of the member of the Wastewater~~
12 ~~Committee appointed by the President of the Metropolitan~~
13 ~~Water Reclamation District of Greater Chicago shall expire~~
14 ~~on July 1, 2009, and the term of the member of the~~
15 ~~Wastewater Committee appointed by the President of the~~
16 ~~largest statewide association of wastewater agencies shall~~
17 ~~expire on July 1, 2009.~~

18 (f) Concurrence of four-fifths of the Board members in
19 office is necessary for the Board to take action regarding the
20 Agency's budget and work plan, a regional plan, the annual
21 federally funded program, the legislative agenda, and any
22 matter regarding the executive director. Action on all other
23 matters shall be taken in accordance with the Board's bylaws
24 ~~With the exception of matters considered and recommended by~~
25 ~~the Wastewater Committee directly to the IEPA, which shall~~
26 ~~require only a concurrence of a simple majority of the~~

1 ~~Wastewater Committee members in office, concurrence of~~
2 ~~four-fifths of the Board members in office is necessary for~~
3 ~~the Board to take any action.~~

4 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

5 (70 ILCS 1707/25)

6 Sec. 25. Operations.

7 (a) Each appointing authority shall give notice of its
8 Board appointments to each other appointing authority, to the
9 Board, and to the Secretary of State. Within 30 days after his
10 or her appointment and before entering upon the duties of the
11 office, each Board member shall take and subscribe to the
12 constitutional oath of office and file it with the Secretary
13 of State. Board members shall hold office for a term of 4 years
14 or until successors are appointed and qualified. The terms of
15 the initial Board members shall expire as follows:

16 (1) The terms of the member from DuPage County and the
17 member representing both Kane and Kendall Counties shall
18 expire on July 1, 2007.

19 (2) The terms of those members from Lake, McHenry, and
20 Will Counties shall expire on July 1, 2009.

21 (3) As designated at the time of appointment, the
22 terms of 2 members from the City of Chicago shall expire on
23 July 1, 2007 and the terms of 3 members from the City of
24 Chicago shall expire on July 1, 2009.

25 (4) The term of the member appointed by the President

1 of the Cook County Board of Commissioners shall expire on
2 July 1, 2007.

3 (5) The terms of those members appointed, with the
4 consent of the President of the Cook County Board of
5 Commissioners, by the mayors representing those
6 communities in Cook County that are outside of the City of
7 Chicago and north of Devon Avenue shall expire on July 1,
8 2007.

9 (6) The terms of those members appointed, with the
10 consent of the President of the Cook County Board of
11 Commissioners, by the mayors representing those
12 communities in Cook County that are outside of the City of
13 Chicago, south of Interstate 55, and west of Interstate
14 57, excluding the communities of Summit, Dixmoor, Posen,
15 Robbins, Midlothian, Oak Forest, and Tinley Park, shall
16 expire on July 1, 2007.

17 (7) The terms of those members appointed, with the
18 consent of the President of the Cook County Board of
19 Commissioners, by the mayor representing those communities
20 in Cook County that are outside of the City of Chicago,
21 south of Devon Avenue, and north of Interstate 55, and, in
22 addition, the Village of Summit, shall expire on July 1,
23 2009.

24 (8) The terms of those members appointed, with the
25 consent of the President of the Cook County Board of
26 Commissioners, by the mayors representing those

1 communities in Cook County that are outside of the City of
2 Chicago and east of Interstate 57, and, in addition, the
3 communities of Dixmoor, Posen, Robbins, Midlothian, Oak
4 Forest, and Tinley Park, shall expire on July 1, 2009.

5 (b) If a vacancy occurs, the appropriate appointing
6 authority shall fill the vacancy by an appointment for the
7 unexpired term. Board members shall receive no compensation,
8 but shall be reimbursed for expenses incurred in the
9 performance of their duties.

10 (c) The Board shall be so appointed as to represent the
11 City of Chicago, that part of Cook County outside the City of
12 Chicago, and that part of the metropolitan region outside of
13 Cook County on a one person ~~man~~ one vote basis. Within 6 months
14 after the release of each certified federal decennial census,
15 the Board shall review its composition and, if a change is
16 necessary in order to comply with the representation
17 requirements of this subsection (c), shall recommend the
18 necessary revision for approval by the General Assembly.

19 (d) Regular meetings of the Board shall be held at least
20 once in each calendar quarter. The time and place of Board
21 meetings shall be fixed by resolution of the Board. Special
22 meetings of the Board may be called by the chair ~~chairman~~ or a
23 majority of the Board members. A written notice of the time and
24 place of any special meeting shall be provided to all Board
25 members at least 3 days prior to the date fixed for the
26 meeting, except that if the time and place of a special meeting

1 is fixed at a regular meeting at which all Board members are
2 present, no such written notice is required. A majority of the
3 Board members in office constitutes a quorum for the purpose
4 of convening a meeting of the Board.

5 (e) The meetings of the Board shall be held in compliance
6 with the Open Meetings Act. The Board shall maintain records
7 in accordance with the provisions of the State Records Act.

8 (f) At its initial meeting and its first regular meeting
9 after July 1 of each year thereafter, the Board from its
10 membership shall appoint a chair ~~chairman~~ and may appoint vice
11 chairs ~~chairmen~~ and shall provide the term and duties of those
12 officers pursuant to its bylaws. Before entering upon duties
13 of office, the chair ~~chairman~~ shall execute a bond with
14 corporate sureties to be approved by the Board and shall file
15 it with the principal office of the Board. The bond shall be
16 payable to the Board in whatever penal sum may be directed and
17 shall be conditioned upon the faithful performance of the
18 duties of office and the payment of all money received by the
19 chair ~~chairman~~ according to law and the orders of the Board.
20 The Board may appoint, from time to time, an executive
21 committee and standing and ad hoc committees to assist in
22 carrying out its responsibilities.

23 (g) Open meetings of the Board shall be broadcast to the
24 public and maintained in real-time on the Board's website
25 using a high-speed Internet connection. Recordings of each
26 meeting broadcast shall be posted to the Board's website

1 within a reasonable time after the meeting and shall be
2 maintained as public records to the extent practicable, as
3 determined by the Board. Compliance with the provisions of
4 this amendatory Act of the 100th General Assembly does not
5 relieve the Board of its obligations under the Open Meetings
6 Act.

7 (Source: P.A. 100-479, eff. 1-1-18.)

8 (70 ILCS 1707/60)

9 Sec. 60. Transportation decision-making.

10 (a) The Policy Committee is the federally designated
11 Metropolitan Planning Organization for the Chicago region
12 under the requirements of federal regulations promulgated by
13 USDOT. The Policy Committee shall approve all plans, reports,
14 and programs required of an MPO, including the federally
15 mandated Regional Transportation Plan, Transportation
16 Improvement Program and Unified Work Program.

17 (b) It is the intent of this Act that the transportation
18 planning and investment decision-making process be fully
19 integrated into the regional planning process.

20 (c) The Board, in cooperation with local governments and
21 transportation providers, shall develop and adopt a process
22 for making the transportation decisions that require final MPO
23 approval pursuant to federal law. That process shall comply
24 with all applicable federal requirements. The adopted process
25 shall ensure that all MPO plans, reports, and programs shall

1 be approved by the CMAP Board prior to final approval by the
2 MPO.

3 (d) The Board shall continue directly involving local
4 elected officials in federal program allocation decisions for
5 the Surface Transportation Program, ~~and~~ Congestion Mitigation
6 and Air Quality funds, and any other federally suballocated
7 funding as required by law and in addressing other regional
8 transportation issues.

9 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

10 (70 ILCS 1707/62)

11 Sec. 62. Board Funding. In order to carry out any of the
12 powers or purposes of CMAP, the Board shall be involved in the
13 allocation of traditional sources of funds such as those from
14 the federal Metropolitan Planning Program and CMAQ as well as
15 non-traditional federal funds consistent with the Board's
16 broader mission. These funds may be supplemented by fees for
17 services and by grants from nongovernmental agencies. The
18 Board may also pursue and accept funding from State, regional,
19 and local sources in order to meet its planning objectives.

20 Each General Assembly shall appropriate dedicated funding
21 ~~Additional funding shall be provided~~ to CMAP to fulfill
22 ~~support~~ those functions and programs authorized by this Act.

23 (Source: P.A. 95-677, eff. 10-11-07.)

24 (70 ILCS 1707/63 rep.)

1 (70 ILCS 1707/70 rep.)

2 Section 10. The Regional Planning Act is amended by

3 repealing Sections 63 and 70.