

1 AMENDMENT TO SENATE BILL 685

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 685 on page 1, by  
3 inserting after line 3 the following:

4 "Section 2. The Downstate Public Transportation Act is  
5 amended by changing Sections 2-2.02, 2-2.04, and 2-6 as  
6 follows:

7 (30 ILCS 740/2-2.02) (from Ch. 111 2/3, par. 662.02)

8 Sec. 2-2.02. "Participant" means:

9 (1) a city, village, or incorporated town, or a local  
10 mass transit district organized under the Local Mass Transit  
11 District Act (a) serving an urbanized area of over 50,000  
12 population on December 28, 1989, (b) receiving State mass  
13 transportation operating assistance pursuant to the Downstate  
14 Public Transportation Act during Fiscal Year 1979, or (c)  
15 serving a nonurbanized area and receiving federal rural  
16 public transportation assistance on or before June 30, 2004  
17 2002; or

18 (2) any Metro-East Transit District established pursuant  
19 to Section 3 of the Local Mass Transit District Act and  
20 serving one or more of the Counties of Madison, Monroe, and  
21 St. Clair during Fiscal Year 1989, all located outside the  
22 boundaries of the Regional Transportation Authority as

1 established pursuant to the Regional Transportation Authority  
2 Act.

3 (Source: P.A. 91-357, eff. 7-29-99; 92-258, eff. 8-7-01;  
4 92-464, eff. 8-22-01.)

5 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

6 Sec. 2-2.04. "Eligible operating expenses" means all  
7 expenses required for public transportation, including  
8 employee wages and benefits, materials, fuels, supplies,  
9 rental of facilities, taxes other than income taxes, payment  
10 made for debt service (including principal and interest) on  
11 publicly owned equipment or facilities, and any other  
12 expenditure which is an operating expense according to  
13 standard accounting practices for the providing of public  
14 transportation. Eligible operating expenses shall not include  
15 allowances: (a) for depreciation whether funded or unfunded;  
16 (b) for amortization of any intangible costs; (c) for debt  
17 service on capital acquired with the assistance of capital  
18 grant funds provided by the State of Illinois; (d) for  
19 profits or return on investment; (e) for excessive payment to  
20 associated entities; (f) for Comprehensive Employment  
21 Training Act expenses; (g) for costs reimbursed under  
22 Sections 6 and 8 of the "Urban Mass Transportation Act of  
23 1964", as amended; (h) for entertainment expenses; (i) for  
24 charter expenses; (j) for fines and penalties; (k) for  
25 charitable donations; (l) for interest expense on long term  
26 borrowing and debt retirement other than on publicly owned  
27 equipment or facilities; (m) for income taxes; or (n) for  
28 such other expenses as the Department may determine  
29 consistent with federal Department of Transportation  
30 regulations or requirements.

31 With respect to participants other than any Metro-East  
32 Transit District participant and those receiving federal  
33 research development and demonstration funds pursuant to

1 Section 6 of the "Urban Mass Transportation Act of 1964", as  
2 amended, during the fiscal year ending June 30, 1979, the  
3 maximum eligible operating expenses for any such participant  
4 in any fiscal year after Fiscal Year 1980 shall be the amount  
5 appropriated for such participant for the fiscal year ending  
6 June 30, 1980, plus in each year a 10% increase over the  
7 maximum established for the preceding fiscal year. For  
8 Fiscal Year 1980 the maximum eligible operating expenses for  
9 any such participant shall be the amount of projected  
10 operating expenses upon which the appropriation for such  
11 participant for Fiscal Year 1980 is based.

12 With respect to participants receiving federal research  
13 development and demonstration operating assistance funds for  
14 operating assistance pursuant to Section 6 of the "Urban Mass  
15 Transportation Act of 1964", as amended, during the fiscal  
16 year ending June 30, 1979, the maximum eligible operating  
17 expenses for any such participant in any fiscal year after  
18 Fiscal Year 1980 shall not exceed such participant's eligible  
19 operating expenses for the fiscal year ending June 30, 1980,  
20 plus in each year a 10% increase over the maximum established  
21 for the preceding fiscal year. For Fiscal Year 1980, the  
22 maximum eligible operating expenses for any such participant  
23 shall be the eligible operating expenses incurred during such  
24 fiscal year, or projected operating expenses upon which the  
25 appropriation for such participant for the Fiscal Year 1980  
26 is based; whichever is less.

27 With respect to all participants other than any  
28 Metro-East Transit District participant, the maximum eligible  
29 operating expenses for any such participant in any fiscal  
30 year after Fiscal Year 1985 shall be the amount appropriated  
31 for such participant for the fiscal year ending June 30,  
32 1985, plus in each year a 10% increase over the maximum  
33 established for the preceding year. For Fiscal Year 1985,  
34 the maximum eligible operating expenses for any such

1 participant shall be the amount of projected operating  
2 expenses upon which the appropriation for such participant  
3 for Fiscal Year 1985 is based.

4 With respect to any mass transit district participant  
5 that has increased its district boundaries by annexing  
6 counties since 1998 and is maintaining a level of local  
7 financial support, including all income and revenues, equal  
8 to or greater than the level in the State fiscal year ending  
9 June 30, 2001, the maximum eligible operating expenses for  
10 any State fiscal year after 2002 shall be the amount  
11 appropriated for that participant for the State fiscal year  
12 ending June 30, 2002, plus, in each State fiscal year, a 10%  
13 increase over the preceding State fiscal year. For State  
14 fiscal year 2002, the maximum eligible operating expenses for  
15 any such participant shall be the amount of projected  
16 operating expenses upon which the appropriation for that  
17 participant for State fiscal year 2002 is based. For that  
18 participant, eligible operating expenses for State fiscal  
19 year 2002 in excess of the eligible operating expenses for  
20 the State fiscal year ending June 30, 2001, plus 10%, must  
21 be attributed to the provision of services in the newly  
22 annexed counties.

23 With respect to a participant that receives an initial  
24 appropriation in State fiscal year 2002, the maximum eligible  
25 operating expenses for any State fiscal year after 2003 shall  
26 be the amount appropriated for that participant for the State  
27 fiscal year ending June 30, 2003, plus, in each year, a 10%  
28 increase over the preceding year. For State fiscal year  
29 2003, the maximum eligible operating expenses for any such  
30 participant shall be the amount of projected operating  
31 expenses upon which the appropriation for that participant  
32 for State fiscal year 2003 is based.

33 Notwithstanding any other provisions of this Section,  
34 with respect to a participant that has received an amount

1 less than the percentage of eligible operating expenses equal  
 2 to the maximum received by any other participant in the  
 3 fiscal year ending June 30, 2002, the maximum percentage of  
 4 eligible operating expenses for the fiscal year ending June  
 5 30, 2005 shall be the percentage received by such other  
 6 participant, except as provided in Section 2-7 of this Act.

7 (Source: P.A. 92-258, eff. 8-7-01; 92-464, eff. 8-22-01;  
 8 92-651, eff. 7-11-02.)

9 (30 ILCS 740/2-6) (from Ch. 111 2/3, par. 666)

10 Sec. 2-6. Allocation of funds.

11 (a) With respect to all participants other than any  
 12 Metro-East Transit District participant, the Department shall  
 13 allocate the funds to be made available to each participant  
 14 under this Article for the following fiscal year and shall  
 15 notify the chief official of each participant not later than  
 16 the first day of the fiscal year of this amount. For Fiscal  
 17 Year 1975, notification shall be made not later than January  
 18 1, 1975, of the amount of such allocation. In determining the  
 19 allocation for each participant, the Department shall  
 20 estimate the funds available to the participant from the  
 21 Downstate Public Transportation Fund for the purposes of this  
 22 Article during the succeeding fiscal year, and shall allocate  
 23 to each participant the amount attributable to it which shall  
 24 be the amount paid into the Downstate Public Transportation  
 25 Fund under Section 2-3 from within its boundaries. Said  
 26 allocations may be exceeded for participants receiving  
 27 assistance equal to one-third of their eligible operating  
 28 expenses, only if an allocation is less than one-third of  
 29 such participant's eligible operating expenses, provided,  
 30 however, that no other participant is denied its one-third of  
 31 eligible operating expenses. Beginning in Fiscal Year 1997,  
 32 said allocation may be exceeded for participants receiving  
 33 assistance equal to the percentage of their eligible

1 operating expenses provided for in paragraph (b) of Section  
 2 2-7, only if allocation is less than the percentage of such  
 3 participant's eligible operating expenses provided for in  
 4 paragraph (b) of Section 2-7, provided however, that no other  
 5 participant is denied its percentage of eligible operating  
 6 expenses.

7 (b) With regard to any Metro-East Transit District  
 8 organized under the Local Mass Transit District Act and  
 9 serving one or more of the Counties of Madison, Monroe and  
 10 St. Clair during Fiscal Year 1989, the Department shall  
 11 allocate the funds to be made available to each participant  
 12 for the following and succeeding fiscal years and shall  
 13 notify the chief official of each participant not later than  
 14 the first day of the fiscal year of this amount. The  
 15 Department shall allocate 55% of the amount paid into the  
 16 Metro-East Public Transportation Fund to the District serving  
 17 primarily the Counties of Monroe and St. Clair and 45% of the  
 18 amount to that District serving primarily the County of  
 19 Madison. For the fiscal year ending June 30, 2005 and each  
 20 year thereafter, if an amount remains in the Downstate Public  
 21 Transportation Fund after the allocation of funds pursuant to  
 22 subsection (a), those funds shall be transferred and paid  
 23 over to the Metro-East Public Transportation Fund to the  
 24 extent necessary to allocate to any Metro-East Transit  
 25 District funds equal to 55% of eligible operating expenses of  
 26 the District.

27 (Source: P.A. 89-598, eff. 8-1-96.)"; and

28 on page 6, by replacing lines 10 through 14 with the  
 29 following:

30 "thereof, the corporate authorities and the county board  
 31 chairmen of each participating municipality or county shall  
 32 determine the percentage of service that the District  
 33 provides to each municipality or county. Each participating

1 municipality and county shall appoint trustees in proportion  
 2 to the percentage of service received from the District by  
 3 that municipality or county with the corporate authorities or  
 4 the county board chairman, with the consent of the county  
 5 board, of each participating municipality or county  
 6 appointing one trustee to the Board for each 30% or fraction  
 7 thereof of service that the municipality or county receives  
 8 from the District. If there is an even number of trustees  
 9 appointed to the Board, the corporate authorities or the  
 10 county board chairman, with the consent of the county board,  
 11 of the municipality or county that receives the largest  
 12 percentage of service from the District shall appoint one  
 13 additional trustee the--corporate-authorities-or-the-county  
 14 board-chairman-with-the-consent-of-the-county-board--of--each  
 15 participating--municipality--or--county--shall--appoint--one  
 16 trustee-to--the--Board--for--every--100,000--inhabitants,--or  
 17 fraction--thereof,--of--such--municipality--or--county. The first";  
 18 and

19 on page 27, immediately below line 29, by inserting the  
 20 following:

21 "Section 8. The Regional Transportation Authority Act is  
 22 amended by changing Section 3.01 as follows:

23 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

24 Sec. 3.01. Board of Directors. Upon expiration of the  
 25 term of the members of the Transition Board as provided for  
 26 in Section 3.09, the corporate authorities and governing body  
 27 of the Authority shall be a Board consisting of 13 Directors  
 28 appointed as follows:

29 (a) Four Directors appointed by the Mayor of the City of  
 30 Chicago, with the advice and consent of the City Council of  
 31 the City of Chicago, and a fifth director who shall be the  
 32 Chairman of the Chicago Transit Authority. Each such

1 Director shall reside in the City of Chicago except the  
2 Chairman of the Chicago Transit Authority who shall reside  
3 within the metropolitan area as defined in the Metropolitan  
4 Transit Authority Act.

5 (b) Four Directors appointed by the members of the Cook  
6 County Board elected from that part of Cook County outside of  
7 Chicago, or, in the event such Board of Commissioners becomes  
8 elected from single member districts, by those Commissioners  
9 elected from districts, a majority of the electors of which  
10 reside outside Chicago. In either case, such appointment  
11 shall be with the concurrence of four such Commissioners.  
12 Each such Director shall reside in that part of Cook County  
13 outside Chicago.

14 (c) Two Directors appointed by the Chairmen of the  
15 county boards of Kane, Lake, McHenry and Will Counties, with  
16 the concurrence of not less than a majority of the Chairmen  
17 from such counties, from nominees by the Chairmen. Each such  
18 Chairman may nominate not more than 2 persons for each  
19 position. Each such Director shall reside in a county in the  
20 metropolitan region other than Cook or DuPage Counties.

21 (d) One Director shall be appointed by the Chairman of  
22 the Board of DuPage County with the advice and consent of the  
23 County Board of DuPage County and shall reside in DuPage  
24 County.

25 (e) Before January 1, 1987, for the term expiring July  
26 1, 1989, the Chairman shall be appointed by the Governor.  
27 Thereafter the Chairman shall be appointed by the other 12  
28 Directors with the concurrence of three-fourths of such  
29 Directors. The chairman shall not be appointed from among the  
30 other Directors. The chairman shall be a resident of the  
31 metropolitan region.

32 (f) Except as otherwise provided by this Act no Director  
33 shall, while serving as such, be an officer, a member of the  
34 Board of Directors or Trustees or an employee of any



1 transportation agency, or be an employee of the State of  
 2 Illinois or any department or agency thereof, or of any unit  
 3 of local government or receive any compensation from any  
 4 elected or appointed office under the Constitution and laws  
 5 of Illinois; except that a Director may be a member of a  
 6 school board.

7 (g) Each appointment made under this Section and under  
 8 Section 3.03 shall be certified by the appointing authority  
 9 to the Board, which shall maintain the certifications as part  
 10 of the official records of the Authority; provided that the  
 11 initial appointments shall be certified to the Secretary of  
 12 State, who shall transmit the certifications to the Board  
 13 following its organization. All appointments made by the  
 14 Governor shall be made with the advice and consent of the  
 15 Senate.

16 (h) (Blank). ~~The---Board--of--Directors--shall--be--so~~  
 17 ~~appointed-as-to-represent-the-City-of-Chicago,--that--part--of~~  
 18 ~~Cook-County-outside-the-City-of-Chicago,--and-that-part-of-the~~  
 19 ~~metropolitan--region--outside--Cook-County-on-the-one-man-one~~  
 20 ~~vote-basis.--After-each-Federal-decennial-census--the--General~~  
 21 ~~Assembly--shall-review-the-composition-of-the-Board-and,--if-a~~  
 22 ~~change-is-needed--to--comply--with--this--requirement,--shall~~  
 23 ~~provide--for--the--necessary--revision-by-July-1-of-the-third~~  
 24 ~~year-after-such-census.--Provided,--however,--that-the--Chairman~~  
 25 ~~of--the--Chicago-Transit-Authority-shall-be-a-Director-of-the~~  
 26 ~~Authority-and-shall-be-considered-as-representing-the-City-of~~  
 27 ~~Chicago-for-purposes-of-this-paragraph.~~

28 Insofar-as-may--be--practicable,--the--changes--in--Board  
 29 membership--necessary--to--achieve--this--purpose--shall-take  
 30 effect-as-appropriate-members-terms-expire,--no-member's--term  
 31 being--reduced--by-reason-of-such-revision-of-the-composition  
 32 of-the-Board.

33 (Source: P.A. 83-1417.)"; and

34 on page 27, immediately below line 32, by inserting the

1 following:

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