

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 32, by inserting the
20 following:

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