

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Regional Planning Act.

6 Section 5. Purpose. The General Assembly declares and
7 determines that a streamlined, consolidated regional planning
8 agency is necessary in order to plan for the most effective
9 public and private investments in the northeastern Illinois
10 region and to better integrate plans for land use and
11 transportation. It is the intent of the General Assembly to
12 consolidate, through an orderly transition, the functions of
13 the Northeastern Illinois Planning Commission (NIPC) and the
14 Chicago Area Transportation Study (CATS) in order to address
15 the development and transportation challenges in the
16 northeastern Illinois region.

17 Section 10. Definitions.

18 "Board" means the Regional Planning Board.

19 "CATS" means the Chicago Area Transportation Study.

20 "CATS Policy Committee" means the policy board of the
21 Chicago Area Transportation Study.

22 "Chief elected county official" means the Board Chairman in
23 DuPage, Kane, Kendall, Lake, and McHenry Counties and the
24 County Executive in Will County.

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

26 "IDOT" means the Illinois Department of Transportation.

27 "MPO" means the metropolitan planning organization
28 designated under 23 U.S.C. 134.

29 "Members" means the members of the Regional Planning Board.

30 "NIPC" means the Northeastern Illinois Planning
31 Commission.

1 "Person" means an individual, partnership, firm, public or
2 private corporation, State agency, transportation agency, or
3 unit of local government.

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

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

8 "Transition period" means the period of time the Regional
9 Planning Board takes to fully implement the funding and
10 implementation strategy described under subsection (a) of
11 Section 15.

12 "Transportation agency" means the Regional Transportation
13 Authority and its Service Boards; the Illinois Toll Highway
14 Authority; the Illinois Department of Transportation; and the
15 transportation functions of units of local government.

16 "Unit of local government" means a unit of local
17 government, as defined in Section 1 of Article VII of the
18 Illinois Constitution, that is located within the jurisdiction
19 and area of operation of the Board.

20 "USDOT" means the United States Department of
21 Transportation.

22 Section 15. Regional Planning Board; powers.

23 (a) The Regional Planning Board is established as a
24 political subdivision, body politic, and municipal
25 corporation. The Board shall be responsible for developing and
26 adopting a funding and implementation strategy for an
27 integrated land use and transportation planning process for the
28 northeastern Illinois region. The strategy shall include a
29 process for the orderly transition of the CATS Policy Committee
30 to be a standing transportation planning body of the Board and
31 NIPC to be a standing comprehensive planning body of the Board.
32 The CATS Policy Committee and NIPC shall continue to exist and
33 perform their duties throughout the transition period. The
34 strategy must also include recommendations for legislation for
35 transition, which must contain a complete description of

1 recommended comprehensive planning functions of the Board and
2 an associated funding strategy and recommendations related to
3 consolidating the functions of the Board, the CATS Policy
4 Committee, and NIPC. The Board shall submit its strategy to the
5 General Assembly no later than September 1, 2006.

6 (b) The Regional Planning Board shall, in addition to those
7 powers enumerated elsewhere in this Act:

8 (1) Provide a policy framework under which all regional
9 plans are developed.

10 (2) Coordinate regional transportation and land use
11 planning.

12 (3) Identify and promote regional priorities.

13 (4) Serve as a single point of contact and direct all
14 public involvement activities.

15 (5) Create a Citizens' Advisory Committee.

16 (c) The Board shall consist of 15 voting members as
17 follows:

18 (1) One member from DuPage County appointed
19 cooperatively by the mayors of DuPage County and the chief
20 elected county official of DuPage County.

21 (2) One member representing both Kane and Kendall
22 Counties appointed cooperatively by the mayors of Kane
23 County and Kendall County and the chief elected county
24 officials of Kane County and Kendall County.

25 (3) One member from Lake County appointed
26 cooperatively by the mayors of Lake County and the chief
27 elected county official of Lake County.

28 (4) One member from McHenry County appointed
29 cooperatively by the mayors of McHenry County and the chief
30 elected county official of McHenry County.

31 (5) One member from Will County appointed
32 cooperatively by the mayors of Will County and the chief
33 elected county official of Will County.

34 (6) Five members from the City of Chicago appointed by
35 the Mayor of the City of Chicago.

36 (7) One member from that portion of Cook County outside

1 of the City of Chicago appointed by the President of the
2 Cook County Board of Commissioners.

3 (8) Four members from that portion of Cook County
4 outside of the City of Chicago appointed, with the consent
5 of the President of the Cook County Board of Commissioners,
6 as follows:

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

10 (ii) One by the mayors representing those
11 communities in Cook County that are outside of the City
12 of Chicago, south of Devon Avenue, and north of
13 Interstate 55, and in addition the Village of Summit.

14 (iii) One by the mayors representing those
15 communities in Cook County that are outside of the City
16 of Chicago, south of Interstate 55, and west of
17 Interstate 57, excluding the communities of Summit,
18 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and
19 Tinley Park.

20 (iv) One by the mayors representing those
21 communities in Cook County that are outside of the City
22 of Chicago and east of Interstate 57, and, in addition,
23 the communities of Dixmoor, Posen, Robbins,
24 Midlothian, Oak Forest, and Tinley Park.

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

27 (d) The CATS Policy Committee and NIPC shall each appoint
28 one of their members to serve as a non-voting member of the
29 Regional Planning Board.

30 (e) Concurrence of four-fifths of the Board members in
31 office is necessary for the Board to take any action, including
32 remanding regional plans with comments to the CATS Policy
33 Committee and NIPC.

34 Section 20. Duties. In addition to those duties enumerated
35 elsewhere in this Act, the Regional Planning Board shall:

1 (1) Hire an executive director to coordinate staff work
2 of CATS and NIPC. The executive director shall hire a
3 deputy for comprehensive planning and a deputy for
4 transportation planning with the approval of NIPC and the
5 CATS Policy Committee, respectively.

6 (2) Merge the staffs of CATS and NIPC into a single
7 staff over a transition period that protects current
8 employees' benefits.

9 (3) Secure agreements with funding agencies to provide
10 support for Board operations.

11 (4) Develop methods to handle operational and
12 administrative matters relating to the transition,
13 including labor and employment matters, pension benefits,
14 equipment and technology, leases and contracts, office
15 space, and excess property.

16 (5) Notwithstanding any other provision of law to the
17 contrary, within 180 days after this Act becomes law,
18 locate the staffs of CATS and NIPC within the same office.

19 Section 25. Operations.

20 (a) Each appointing authority shall give notice of its
21 Board appointments to each other appointing authority, to the
22 Board, and to the Secretary of State. Within 30 days after his
23 or her appointment and before entering upon the duties of the
24 office, each Board member shall take and subscribe to the
25 constitutional oath of office and file it with the Secretary of
26 State. Board members shall hold office for a term of 4 years or
27 until successors are appointed and qualified. The terms of the
28 initial Board members shall expire as follows:

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

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

34 (3) As designated at the time of appointment, the terms
35 of 2 members from the City of Chicago shall expire on July

1 1, 2007 and the terms of 3 members from the City of Chicago
2 shall expire on July 1, 2009.

3 (4) The term of the member appointed by the President
4 of the Cook County Board of Commissioners shall expire on
5 July 1, 2007.

6 (5) The terms of those members appointed, with the
7 consent of the President of the Cook County Board of
8 Commissioners, by the mayors representing those
9 communities in Cook County that are outside of the City of
10 Chicago and north of Devon Avenue shall expire on July 1,
11 2007.

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

20 (7) The terms of those members appointed, with the
21 consent of the President of the Cook County Board of
22 Commissioners, by the mayor representing those communities
23 in Cook County that are outside of the City of Chicago,
24 south of Devon Avenue, and north of Interstate 55, and, in
25 addition, the Village of Summit, shall expire on July 1,
26 2009.

27 (8) The terms of those members appointed, with the
28 consent of the President of the Cook County Board of
29 Commissioners, by the mayors representing those
30 communities in Cook County that are outside of the City of
31 Chicago and east of Interstate 57, and, in addition, the
32 communities of Dixmoor, Posen, Robbins, Midlothian, Oak
33 Forest, and Tinley Park, shall expire on July 1, 2009.

34 (b) If a vacancy occurs, the appropriate appointing
35 authority shall fill the vacancy by an appointment for the
36 unexpired term. Board members shall receive no compensation,

1 but shall be reimbursed for expenses incurred in the
2 performance of their duties.

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

12 (d) Regular meetings of the Board shall be held at least
13 once in each calendar quarter. The time and place of Board
14 meetings shall be fixed by resolution of the Board. Special
15 meetings of the Board may be called by the chairman or a
16 majority of the Board members. A written notice of the time and
17 place of any special meeting shall be provided to all Board
18 members at least 3 days prior to the date fixed for the
19 meeting, except that if the time and place of a special meeting
20 is fixed at a regular meeting at which all Board members are
21 present, no such written notice is required. A majority of the
22 Board members in office constitutes a quorum for the purpose of
23 convening a meeting of the Board.

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

27 (f) At its initial meeting and its first regular meeting
28 after July 1 of each year thereafter, the Board shall appoint
29 from its membership a chairman and vice chairman and shall
30 provide the term and duties of those officers pursuant to its
31 bylaws. The vice chairman shall act as chairman during the
32 absence or disability of the chairman and in case of
33 resignation or death of the chairman. Before entering upon
34 duties of office, the chairman shall execute a bond with
35 corporate sureties to be approved by the Board and shall file
36 it with the principal office of the Board. The bond shall be

1 payable to the Board in whatever penal sum may be directed and
2 shall be conditioned upon the faithful performance of the
3 duties of office and the payment of all money received by the
4 chairman according to law and the orders of the Board. The
5 Board may appoint, from time to time, an executive committee
6 and standing and ad hoc committees to assist in carrying out
7 its responsibilities.

8 Section 30. Jurisdiction and area of operation. The
9 jurisdiction and area of operation of the Board includes Cook,
10 DuPage, Kane, Kendall, Lake, McHenry, and Will Counties. The
11 Board may enter into agreements with units of local government
12 located outside of, but contiguous to, its jurisdiction and
13 area of operation in order to include those areas in plans for
14 the region. For activities related to the MPO, the jurisdiction
15 of the MPO shall be that area defined by federal requirements.

16 Section 35. General powers and authority. In addition to
17 any other rights, powers, duties, or obligations granted to the
18 Board under this Act or specifically granted to the Board under
19 any other law, the Board has all of the following general
20 powers and authority:

21 (1) To sue and be sued in its official name.

22 (2) To enter into agreements with units of local
23 government, transportation agencies, State agencies,
24 federal agencies, and persons in order to implement any of
25 the provisions of this Act, including agreements for
26 specialized planning services.

27 (3) To accept and expend, for purposes consistent with
28 the purposes of this Act, funds and moneys from any source,
29 including gifts, bequests, grants, appropriations, loans,
30 or contributions made by any person, unit of local
31 government, the State, or the federal government.

32 (4) To enter into contracts or other transactions with
33 any unit of local government, transportation agency, State
34 agency, public or private organization, or any other source

1 in furtherance of the purpose of this Act, and to take any
2 necessary action in order to avail itself of such aid and
3 cooperation.

4 (5) To purchase, receive, take by grant, gift, devise,
5 or bequest, lease, or otherwise acquire, own, hold,
6 improve, employ, use, and otherwise deal in and with real
7 or personal property, or any interest therein, wherever
8 situated.

9 (6) To adopt, alter, or repeal its own bylaws and any
10 rules that the Board deems necessary in governing the
11 exercise of its authority and the performance of its duties
12 under this Act.

13 (7) To make purchases under this Act in compliance with
14 the Local Government Prompt Payment Act.

15 (8) To adopt an annual operating budget and work
16 program for each fiscal year and make appropriations in
17 accordance with the Illinois Municipal Budget Law and to
18 have the power to expend such budgeted moneys.

19 (9) To exercise any other implied powers that are
20 necessary or convenient for the Board to accomplish its
21 purposes and that are not inconsistent with its expressed
22 powers.

23 (10) To cooperate with any planning agency of a state
24 contiguous to the region in order to integrate and
25 coordinate plans for development of urban areas in that
26 state with the regional comprehensive plan developed under
27 this Act.

28 Section 40. Public participation; public hearing;
29 Citizens' Advisory Committee.

30 (a) The Board shall develop, implement, and maintain a
31 process of public participation designed to: (i) inform and
32 involve the public in all of the public activities and
33 decisions of the Board; (ii) provide access to public records
34 and information maintained by the Board; and (iii) provide
35 mechanisms for public suggestions. The Board shall serve as the

1 single point of contact and direct all public involvement
2 activities.

3 (b) In connection with its review and development of any
4 regional plans and prior to any plan's approval, the Board must
5 hold a public hearing. Notice of the time, date, and place set
6 for the hearing must be published in a newspaper having a
7 general circulation within the Chicago region at least 30 days
8 prior to the date of the hearing. The notice must contain a
9 short explanation of the purpose of the hearing. The hearing
10 may be continued, as deemed necessary by the Board.

11 (c) The Board shall create a standing Citizens' Advisory
12 Committee to provide continuous and balanced public
13 representation in the development of regional plans and
14 policies.

15 Section 45. Regional comprehensive plan. At intervals not
16 to exceed every 5 years, the Board shall develop a regional
17 comprehensive plan that integrates land use and
18 transportation. The regional comprehensive plan and any
19 modifications to it shall be developed cooperatively by the
20 Board, the CATS Policy Committee, and NIPC with the involvement
21 of citizens, units of local government, business and labor
22 organizations, environmental organizations, transportation and
23 planning agencies, State agencies, private and civic
24 organizations, public and private providers of transportation,
25 and land preservation agencies. Units of local government shall
26 continue to maintain control over land use and zoning
27 decisions.

28 Section 50. Coordinated regional advocacy.

29 (a) The Board shall be responsible for identifying regional
30 priorities and providing coordinated advocacy of regional
31 priorities. The Board shall act to ensure that regional
32 priorities are supported by consistent information and that
33 plans of various agencies related to those regional priorities
34 are fully integrated.

1 (b) The Board shall annually publish a list of regional
2 priorities and major public projects for which it is providing
3 coordinated regional advocacy.

4 Section 55. Transportation financial plan.

5 (a) Concurrent with preparation of the regional
6 transportation and comprehensive plans, the Board shall
7 prepare and adopt, in cooperation with the CATS Policy
8 Committee, a transportation financial plan for the region in
9 accordance with federal and State laws, rules, and regulations.

10 (b) The transportation financial plan shall address the
11 following matters related to the transportation agencies: (i)
12 adequacy of funding to meet identified needs; and (ii)
13 allocation of funds to regional priorities.

14 (c) The transportation financial plan may propose
15 recommendations for additional funding by the federal
16 government, the State, or units of local government that may be
17 necessary to fully implement regional plans.

18 Section 60. Metropolitan planning organization.

19 (a) It is the intent of this Act that the CATS Policy
20 Committee, as the Transportation Planning Committee for the
21 Board, remain the federally designated Metropolitan Planning
22 Organization for the Chicago region under the requirements of
23 federal regulations promulgated by USDOT. The CATS Policy
24 Committee shall prepare and approve all plans, reports, and
25 programs required of an MPO, including the federally mandated
26 Regional Transportation Plan, Transportation Improvement
27 Program and Unified Work Program.

28 (b) The processes previously established by the CATS Policy
29 Committee shall be continued as the means by which local
30 elected officials program federal Surface Transportation
31 Program and Congestion, Mitigation, and Air Quality funds and
32 address other regional transportation issues.

33 Section 65. Annual report. The Board shall prepare,

1 publish, and distribute an annual report and any other reports
2 and plans that relate to the purpose of this Act.

3 Section 70. Transition period. The transition period must
4 end no later than 36 months after the initial appointment of
5 the Board, provided that sufficient funding sources have been
6 identified and implemented. The Board must fully implement the
7 funding and implementation strategy it is charged with
8 developing and adopting in subsection (a) of Section 15 by the
9 end of the transition period.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.