

1 AN ACT creating the Southwest Suburban Railroad
2 Redevelopment Authority.

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

5 Section 1. Short title. This Act may be cited as the
6 Southwest Suburban Railroad Redevelopment Authority Act.

7 Section 5. Legislative declaration. The General Assembly
8 declares that the welfare, health, prosperity, and moral and
9 general well-being of the people of the State are, in large
10 measure, dependent upon the sound and orderly development of
11 municipal areas. The Southwest Suburban area, by reason of the
12 location therein of vital roadways and their use for vehicular
13 travel in access to the entire southwest metropolitan Chicago
14 area, as well as commercial and industrial growth patterns and
15 accessibility to manufacturing and freight-related facilities,
16 has become and will increasingly be the hub of transportation
17 from all parts of the region and throughout the southwest
18 metropolitan area. Motor vehicle traffic, pedestrian travel,
19 and the safety of both motorists and pedestrians are
20 substantially aggravated by the location of railroad grade
21 crossings. Additionally, certain development opportunities may
22 exist in the project area that would stabilize and enhance the
23 tax base of existing communities, maintain and revitalize

1 existing commerce and industry, and promote comprehensive
2 planning within and between communities. The presence of the
3 railroad grade crossings are detrimental to the orderly
4 expansion of industry and commerce and to progress of the
5 region. To alleviate this situation it is necessary to relocate
6 the railroad tracks, to separate the grades at crossing, to
7 acquire property for relocation or submergence of the railroad
8 or highways, to create an agency to facilitate and accomplish
9 that relocation, and to direct infrastructure and development
10 improvements in the Southwest Suburban area.

11 Section 10. Creation; duration. There is created a body
12 politic and corporate, a unit of local government, named the
13 Southwest Suburban Railroad Redevelopment Authority, embracing
14 the townships of Bloom, Thornton, Calumet, Bremen, Orland,
15 Worth, Rich, and Palos. The Authority shall continue in
16 existence until the accomplishment of its objective, the
17 relocation of railroad tracks and roadways and the grade
18 separation of railroads from the right-of-way and at-grade
19 crossing closures within the Southwest Suburban area, or until
20 the Authority officially resolves that it is impossible or
21 economically unfeasible to fulfill that objective.

22 Section 15. Acquisition of property. The Authority has the
23 power to acquire by gift, purchase, or legacy the fee simple
24 title to real property located within the boundaries of the

1 Authority, including temporary and permanent easements, as
2 well as reversionary interests in the streets, alleys, and
3 other public places and personal property, required for its
4 purposes, and title thereto shall be taken in the corporate
5 name of the Authority. All land and appurtenances thereto,
6 acquired or owned by the Authority, are to be deemed acquired
7 or owned for a public use or public purpose. The Authority may
8 not acquire property by eminent domain.

9 Section 20. Sale or exchange of property. The Authority
10 has the power to sell, transfer, exchange, vacate, or assign
11 property acquired for the purposes of this Act as it deems
12 appropriate.

13 Section 25. Acceptance of grants, loans, and
14 appropriations. The Authority has the power to apply for and
15 accept grants, loans, advances, and appropriations from the
16 federal government and from the State of Illinois or any agency
17 or instrumentality thereof to be used for the purposes of the
18 Authority, and to enter into any agreement in relation to the
19 grants, loans, advances, and appropriations. The Authority may
20 also accept from the State, any State agency, department, or
21 commission, any county or other political subdivision, any
22 municipal corporation, any railroad, any school authority, or
23 jointly therefrom, grants of funds or services for any of the
24 purposes of this Act. The Authority shall be treated as a rail

1 carrier subject to the Illinois Commerce Commission's
2 jurisdiction and eligible to receive money from the Grade
3 Crossing Protection Fund or any fund of the State or other
4 source available for purposes of promoting safety and
5 separation of at-grade railroad crossings or highway
6 improvements.

7 Section 30. Taxing powers. The Authority may not levy real
8 property taxes for any purpose whatsoever.

9 Section 35. Board; compensation and expenses. The
10 Authority shall be governed by a 5-member board consisting of
11 members appointed by the Governor with the advice and consent
12 of the Senate. Two members of the Board must reside within the
13 territory of the Authority. Two members must be former public
14 officials who served within the townships of Bloom, Thornton,
15 Calumet, Bremen, Orland, Worth, Rich, or Palos. One member must
16 have previous employment and management experience with a major
17 railroad company that has significant ties to the Authority.
18 Each member shall take and subscribe the constitutional oath of
19 office and file it with the Secretary of State. The members of
20 the board shall serve without compensation, but may be
21 reimbursed for actual expenses incurred by them in the
22 performance of duties prescribed by the Authority. However, any
23 member of the board who serves as secretary or treasurer may
24 receive compensation for services as that officer.

1 Section 40. Organization; chair and temporary secretary.
2 As soon as possible after the effective date of this Act, the
3 board shall organize for the transaction of business, select a
4 Chair and a temporary Secretary from its own number, and adopt
5 bylaws to govern its proceedings. The initial Chair and
6 successors shall be elected by the board from time to time from
7 among members. The board may act through its members by
8 entering into an agreement that a member act on the board's
9 behalf, in which instance the act or performance directed shall
10 be deemed to be exclusively of, for, and by the board and not
11 the individual act of the member or its represented person.

12 Section 45. Meetings; quorum and resolutions. Regular
13 meetings of the board shall be held at least quarterly, the
14 time and place of those meetings to be fixed by the board.
15 Special meetings may be called by the Chair or by a majority of
16 the members of the board by giving notice thereof in writing,
17 stating the time, place, and purpose of the meeting. The notice
18 shall be served by special delivery letter deposited in the
19 mail at least 48 hours before the meeting. A majority of the
20 members of the board shall constitute a quorum for the
21 transaction of business. All action of the board shall be by
22 resolution and, except as otherwise provided in this Act, the
23 affirmative vote of at least a majority shall be necessary for
24 the adoption of any resolution. The Chair shall be entitled to

1 vote on any and all matters coming before the board.

2 Section 50. Secretary and Treasurer; oaths; bond of
3 Treasurer. The board may appoint a Secretary and a Treasurer,
4 who need not be members of the board, to hold office at the
5 pleasure of the board, and fix their duties and compensation.
6 Before entering upon the duties of their respective offices,
7 they shall take and subscribe to the constitutional oath of
8 office, and the Treasurer shall execute a bond with corporate
9 sureties to be approved by the board. The bond shall be payable
10 to the Authority in whatever penal sum may be directed by the
11 board conditioned upon the faithful performance of the duties
12 of the office and the payment of all money received by the
13 Treasurer according to law and the orders of the board. The
14 board may, at any time, require a new bond for the Treasurer in
15 any penal sum that may then be determined by the board.

16 Section 55. Deposit and withdrawal of funds; signatures.
17 All funds deposited by the Treasurer in any bank or savings and
18 loan association shall be placed in the name of the Authority
19 and shall be withdrawn or paid out only by check or draft upon
20 the bank or savings and loan association, signed by the
21 Treasurer and countersigned by the Chair of the board. Subject
22 to prior approval of the designations by a majority of the
23 board, the Chair may designate any other member or any officer
24 of the Authority to affix the signature of the Treasurer to any

1 Authority check or draft for payment of salaries or wages and
2 for payment of any other obligation of not more than \$2,500.

3 No bank or savings and loan association shall receive
4 public funds as permitted by this Section unless it has
5 complied with the requirements established under Section 6 of
6 the Public Funds Investment Act.

7 Section 60. Delivery of check after executing officer
8 ceases to hold office. If any officer whose signature appears
9 upon any check or draft issued pursuant to this Act ceases to
10 hold office before the delivery of the check or draft to the
11 payee, the officer's signature nevertheless shall be valid and
12 sufficient for all purposes with the same effect as if the
13 officer had remained in office until delivery of the check or
14 draft.

15 Section 65. Rules. The board may adopt all rules proper or
16 necessary and to carry into effect the powers granted to it.
17 The rules shall be consistent with the guidelines, objectives,
18 and project scope as set out by the Illinois Commerce
19 Commission.

20 Section 70. Fiscal year. The Authority shall designate its
21 fiscal year.

22 Section 75. Reports and financial statements. Within 60

1 days after the end of its fiscal year, the board shall cause to
2 be prepared by a certified public accountant a complete and
3 detailed report and financial statement of the operations and
4 assets and liabilities as they relate to the projects
5 undertaken by the Authority. A reasonably sufficient number of
6 copies of the report shall be prepared for distribution to
7 persons interested, upon request, and a copy of the report
8 shall be filed with the Illinois Commerce Commission and with
9 the county clerk of Cook County.

10 Section 80. Construction. Nothing in this Act shall be
11 construed to confer upon the Authority the right, power, or
12 duty to order or enforce the abandonment of any present
13 property of the railroads or the use in substitution therefor
14 of any property acquired for the railroads in the absence of a
15 contract duly executed by the railroads and the Authority
16 setting forth the terms and conditions upon which relocation of
17 the right-of-way and physical facilities of the railroads is to
18 be accomplished. No such contract shall be or become
19 enforceable until the provisions of the contract have been
20 approved or authorized by the Illinois Commerce Commission.

21 Section 85. Existing contracts, obligations, and
22 liabilities. No contract, obligation, or liability whatever of
23 the railroads to pay any money into the State treasury, nor any
24 lien of the State upon or right to tax property of the

1 railroads, shall be released, suspended, modified, altered,
2 remitted, or in any manner diminished or impaired by the
3 contract with the Authority, and any such charter provisions
4 applicable to the property on which the railroads are now
5 located shall be deemed in full force and effect with respect
6 to any property on which the railroads are relocated in
7 substitution therefor pursuant to the provisions of this Act or
8 any such contract with the Authority pursuant thereto.
9 Notwithstanding, upon order of the Illinois Commerce
10 Commission, the Authority shall succeed to and assume the
11 performance and actions of the represented persons under the
12 terms of the order and amending orders previously entered
13 relative to projects undertaken by the Authority and consistent
14 with the objectives of the Authority.

15 Section 90. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 999. Effective date. This Act takes effect upon
18 becoming law.