



Rep. Elaine Nekritz

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09700HB4036ham001

LRB097 16965 KMW 65644 a

1 AMENDMENT TO HOUSE BILL 4036

2 AMENDMENT NO. _____. Amend House Bill 4036 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regional Transportation Authority Act is
5 amended by changing Section 3A.09 as follows:

6 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

7 Sec. 3A.09. General Powers. In addition to any powers
8 elsewhere provided to the Suburban Bus Board, it shall have all
9 of the powers specified in Section 2.20 of this Act except for
10 the powers specified in Section 2.20(a)(v). The Board shall
11 also have the power:

12 (a) to cooperate with the Regional Transportation
13 Authority in the exercise by the Regional Transportation
14 Authority of all the powers granted it by such Act;

15 (b) to receive funds from the Regional Transportation
16 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and

1 4.10 of the Regional Transportation Authority Act, all as
2 provided in the Regional Transportation Authority Act;

3 (c) to receive financial grants from the Regional
4 Transportation Authority or a Service Board, as defined in
5 the Regional Transportation Authority Act, upon such terms
6 and conditions as shall be set forth in a grant contract
7 between either the Division and the Regional
8 Transportation Authority or the Division and another
9 Service Board, which contract or agreement may be for such
10 number of years or duration as the parties agree, all as
11 provided in the Regional Transportation Authority Act; ~~and~~

12 (d) to perform all functions necessary for the
13 provision of paratransit services under Section 2.30 of
14 this Act; and -

15 (e) to borrow money for the purposes of: (i)
16 constructing a new garage in the northwestern Cook County
17 suburbs at an estimated cost of \$60,000,000, (ii)
18 converting the South Cook garage in Markham to a Compressed
19 Natural Gas facility at an estimated cost of \$12,000,000,
20 (iii) constructing a new paratransit garage in DuPage
21 County at an estimated cost of \$25,000,000, and (iv)
22 expanding the North Shore garage in Evanston to accommodate
23 additional indoor bus parking at an estimated cost of
24 \$3,000,000. For the purpose of evidencing the obligation of
25 the Suburban Bus Board to repay any money borrowed as
26 provided in this subsection, the Suburban Bus Board may

1 issue revenue bonds from time to time pursuant to ordinance
2 adopted by the Suburban Bus Board, subject to the approval
3 of the Regional Transportation Authority of each such
4 issuance by the affirmative vote of 12 of its then
5 Directors; provided that the Suburban Bus Board may not
6 issue bonds for the purpose of financing the acquisition,
7 construction, or improvement of any facility other than
8 those listed in this subsection (e). All such bonds shall
9 be payable solely from the revenues or income or any other
10 funds that the Suburban Bus Board may receive, provided
11 that the Suburban Bus Board may not pledge as security for
12 such bonds the moneys, if any, that the Suburban Bus Board
13 receives from the Regional Transportation Authority
14 pursuant to Section 4.03.3(f) of the Regional
15 Transportation Authority Act. The bonds shall bear
16 interest at a rate not to exceed the maximum rate
17 authorized by the Bond Authorization Act and shall mature
18 at such time or times not exceeding 25 years from their
19 respective dates. Bonds issued pursuant to this paragraph
20 must be issued with scheduled principal or mandatory
21 redemption payments in equal amounts in each fiscal year
22 over the term of the bonds, with the first principal or
23 mandatory redemption payment scheduled within the fiscal
24 year in which bonds are issued or within the next
25 succeeding fiscal year. At least 25%, based on total
26 principal amount, of all bonds authorized pursuant to this

1 Section shall be sold pursuant to notice of sale and public
2 bid. No more than 75%, based on total principal amount, of
3 all bonds authorized pursuant to this Section shall be sold
4 by negotiated sale. The maximum principal amount of the
5 bonds that may be issued may not exceed \$100,000,000. The
6 bonds shall have all the qualities of negotiable
7 instruments under the laws of this State. To secure the
8 payment of any or all of such bonds and for the purpose of
9 setting forth the covenants and undertakings of the
10 Suburban Bus Board in connection with the issuance thereof
11 and the issuance of any additional bonds payable from such
12 revenue or income as well as the use and application of the
13 revenue or income received by the Suburban Bus Board, the
14 Suburban Bus Board may execute and deliver a trust
15 agreement or agreements; provided that no lien upon any
16 physical property of the Suburban Bus Board shall be
17 created thereby. A remedy for any breach or default of the
18 terms of any such trust agreement by the Suburban Bus Board
19 may be by mandamus proceedings in any court of competent
20 jurisdiction to compel performance and compliance
21 therewith, but the trust agreement may prescribe by whom or
22 on whose behalf such action may be instituted. Under no
23 circumstances shall any bonds issued by the Suburban Bus
24 Board or any other obligation of the Suburban Bus Board in
25 connection with the issuance of such bonds be or become an
26 indebtedness or obligation of the State of Illinois, the

1 Regional Transportation Authority, or any other political
2 subdivision of or municipality within the State, nor shall
3 any such bonds or obligations be or become an indebtedness
4 of the Suburban Bus Board within the purview of any
5 constitutional limitation or provision, and it shall be
6 plainly stated on the face of each bond that it does not
7 constitute such an indebtedness or obligation but is
8 payable solely from the revenues or income as aforesaid.

9 (Source: P.A. 94-370, eff. 7-29-05.)".