



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3648

by Rep. David Harris

SYNOPSIS AS INTRODUCED:

70 ILCS 3615/3B.03
70 ILCS 3615/3B.05

from Ch. 111 2/3, par. 703B.03
from Ch. 111 2/3, par. 703B.05

Amends the Regional Transportation Authority Act. Provides that prior to the effective date of this amendatory Act, each director of the Commuter Rail Board shall be appointed for a term of 4 years. Deletes a provision that a director shall serve until his successor has been appointed and qualified. Prohibits directors holding office on the effective date of this amendatory Act from being reappointed upon the expiration of his or her term. Provides that directors appointed on or after the effective date of this amendatory Act shall be appointed for a term of 5 years and may not be reappointed upon the expiration of his or her term. Provides that any director may be removed from office upon the concurrence of not less than 7 (currently 8) directors. Further provides that the Commuter Rail Board shall appoint, retain, or dismiss an Executive Director with the concurrence of 7 (currently 8) of the directors of the Commuter Rail Board. Effective January 1, 2014.

LRB098 12806 OMW 47293 b

1 AN ACT concerning local government.

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

4 Section 5. The Regional Transportation Authority Act is
5 amended by changing Sections 3B.03 and 3B.05 as follows:

6 (70 ILCS 3615/3B.03) (from Ch. 111 2/3, par. 703B.03)

7 Sec. 3B.03. Terms, Vacancies. Prior to the effective date
8 of this amendatory Act of the 98th General Assembly, each ~~Each~~
9 ~~director shall be appointed for a term of 4 years, and until~~
10 ~~his successor has been appointed and qualified.~~ Directors
11 holding office on the effective date of this amendatory Act of
12 the 98th General Assembly may not be reappointed upon the
13 expiration of his or her term. Directors appointed on or after
14 the effective date of this amendatory Act of the 98th General
15 Assembly shall be appointed for a term of 5 years and may not
16 be reappointed upon the expiration of his or her term. A
17 vacancy shall occur upon the resignation, death, conviction of
18 a felony, or removal from office of a director. Any director
19 may be removed from office (i) upon the concurrence of not less
20 than 7 & directors, on a formal finding of incompetence,
21 neglect of duty, or malfeasance in office or (ii) by the
22 Governor in response to a summary report received from the
23 Executive Inspector General in accordance with Section 20-50 of

1 the State Officials and Employees Ethics Act, provided he or
2 she has an opportunity to be publicly heard in person or by
3 counsel prior to removal. Within 30 days after the office of
4 any director becomes vacant for any reason, the appropriate
5 appointing authorities of such director, as provided in Section
6 3B.02, shall make an appointment to fill the vacancy. A vacancy
7 shall be filled for the unexpired term.

8 (Source: P.A. 95-708, eff. 1-18-08; 96-1528, eff. 7-1-11.)

9 (70 ILCS 3615/3B.05) (from Ch. 111 2/3, par. 703B.05)

10 Sec. 3B.05. Appointment of officers and employees. The
11 Commuter Rail Board shall appoint an Executive Director who
12 shall be the chief executive officer of the Division,
13 appointed, retained or dismissed with the concurrence of 7 & of
14 the directors of the Commuter Rail Board. The Executive
15 Director shall appoint, retain and employ officers, attorneys,
16 agents, engineers, employees and shall organize the staff,
17 shall allocate their functions and duties, fix compensation and
18 conditions of employment, and consistent with the policies of
19 and direction from the Commuter Rail Board take all actions
20 necessary to achieve its purposes, fulfill its
21 responsibilities and carry out its powers, and shall have such
22 other powers and responsibilities as the Commuter Rail Board
23 shall determine. The Executive Director shall be an individual
24 of proven transportation and management skills and may not be a
25 member of the Commuter Rail Board. The Division may employ its

1 own professional management personnel to provide professional
2 and technical expertise concerning its purposes and powers and
3 to assist it in assessing the performance of transportation
4 agencies in the metropolitan region.

5 No unlawful discrimination, as defined and prohibited in
6 the Illinois Human Rights Act, shall be made in any term or
7 aspect of employment nor shall there be discrimination based
8 upon political reasons or factors. The Commuter Rail Board
9 shall establish regulations to insure that its discharges shall
10 not be arbitrary and that hiring and promotion are based on
11 merit.

12 The Division shall be subject to the "Illinois Human Rights
13 Act", as now or hereafter amended, and the remedies and
14 procedure established thereunder. The Commuter Rail Board
15 shall file an affirmative action program for employment by it
16 with the Department of Human Rights to ensure that applicants
17 are employed and that employees are treated during employment,
18 without regard to unlawful discrimination. Such affirmative
19 action program shall include provisions relating to hiring,
20 upgrading, demotion, transfer, recruitment, recruitment
21 advertising, selection for training and rates of pay or other
22 forms of compensation.

23 (Source: P.A. 95-708, eff. 1-18-08.)

24 Section 99. Effective date. This Act takes effect January
25 1, 2014.