



Sen. Terry Link

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LRB098 10051 OMW 42448 a

1 AMENDMENT TO SENATE BILL 1594

2 AMENDMENT NO. _____. Amend Senate Bill 1594 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Transportation Modernization Act.

6 Section 5. Purpose. The General Assembly declares and
7 determines that a streamlined governance structure that
8 integrates regional comprehensive planning and transit system
9 oversight is necessary to conserve public resources and achieve
10 the most effective public and private transportation
11 investments that are vital to making the northeastern Illinois
12 region competitive in the global economy. It is the intent of
13 the General Assembly to merge, through an orderly transition,
14 the operations and governance of the Regional Transportation
15 Authority (RTA) and the Chicago Metropolitan Agency for
16 Planning (CMAP) in order to most efficiently and effectively

1 address the region's development and transportation
2 challenges. It is intended that the new board and agency
3 resulting from this merger eliminate unnecessary and
4 duplicative functions and provide the most cost-effective
5 means to ensure that transit services are fast, well-planned,
6 coordinated, well-maintained, efficient, convenient, safe, and
7 attractive and achieve a doubling of transit use in 25 years.

8 Section 10. Transition Committee.

9 (a) Promptly after the effective date of this Act, the RTA
10 and CMAP shall establish a Transition Committee that includes
11 eight members, as follows:

- 12 (1) The Executive Directors of both RTA and CMAP;
- 13 (2) The board chairpersons of both RTA and CMAP; and
- 14 (3) Two other board members selected by the RTA's and
15 CMAP's respective board chairpersons.

16 CMAP shall provide staffing support for the Transition
17 Committee.

18 (b) Within 6 months of the effective date of this Act, the
19 Executive Director of CMAP, in consultation with the other
20 members of the Transition Committee, shall develop a detailed
21 staff and operations integration plan to merge the staffs and
22 operations of the RTA and CMAP to the fullest extent
23 permissible by law. The members of the Transition Committee
24 shall consult with the appointing authorities of the RTA and
25 CMAP governing boards during the development of the staff and

1 operations integration plan. The staff and operations
2 integration plan must address, without limitation:

3 (1) Labor and employment matters, including employee
4 pensions and benefits;

5 (2) Operational and administrative matters relating to
6 the merging of staff and operations, including equipment
7 and technology, leases and contracts, and office space;

8 (3) The alignment of functions and responsibilities of
9 the RTA and CMAP; and

10 (4) The alignment of fiscal, budgeting, and planning
11 processes of the RTA and CMAP.

12 (c) Within 8 months of the effective date of this Act, the
13 Executive Director of CMAP, in consultation with the other
14 members of Transition Committee and subject to applicable
15 governing board authority, shall oversee the merger of the
16 staff and operations of RTA into CMAP and implement those
17 portions of the staff and operations integration plan that do
18 not require further legislative action to effectuate.

19 Section 15. The Regional Planning Act is amended by
20 changing Sections 10, 15, 25, 30, and 35 and by adding Sections
21 25a and 25b as follows:

22 (70 ILCS 1707/10)

23 Sec. 10. Definitions.

24 "Board" means the Board of the Chicago Metropolitan Agency

1 for Planning.

2 "Board Transition Date" means January 1, 2014 or the first
3 day of the sixth full calendar month following the effective
4 date of this amendatory Act of the 98th General Assembly,
5 whichever is later.

6 "CMAP" means the Chicago Metropolitan Agency for Planning.

7 "Chief elected county official" means the Board Chairman in
8 DuPage, Kane, Kendall, Lake, and McHenry Counties and the
9 County Executive in Will County.

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

11 "IDOT" means the Illinois Department of Transportation.

12 "MPO" means the metropolitan planning organization
13 designated under 23 U.S.C. 134.

14 "Members" means the members of the Board.

15 "Person" means an individual, partnership, firm, public or
16 private corporation, State agency, transportation agency, or
17 unit of local government.

18 "Policy Committee" means the decision-making body of the
19 MPO.

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

22 "Service Boards" means the Board of the Commuter Rail
23 Division of the Regional Transportation Authority, the Board of
24 the Suburban Bus Division of the Regional Transportation
25 Authority, and the Board of the Chicago Transit Authority
26 established under the "Metropolitan Transit Authority Act",

1 approved April 12, 1945, as now or hereafter amended.

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

4 "Transportation agency" means the Regional Transportation
5 Authority and its Service Boards; the Illinois Toll Highway
6 Authority; the Illinois Department of Transportation; and the
7 transportation functions of units of local government.

8 "Unit of local government" means a unit of local
9 government, as defined in Section 1 of Article VII of the
10 Illinois Constitution, that is located within the jurisdiction
11 and area of operation of the Board.

12 "USDOT" means the United States Department of
13 Transportation.

14 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

15 (70 ILCS 1707/15)

16 Sec. 15. Chicago Metropolitan Agency for Planning;
17 structure.

18 (a) The Chicago Metropolitan Agency for Planning is
19 established as a political subdivision, body politic, and
20 municipal corporation. The Board shall be responsible for
21 developing and adopting a funding and implementation strategy
22 for an integrated land use and transportation planning process
23 for the northeastern Illinois region.

24 (b) (Blank.)

25 (c) Prior to the Board Transition Date, the ~~The~~ Board shall

1 consist of 15 voting members as follows:

2 (1) One member from DuPage County appointed
3 cooperatively by the mayors of DuPage County and the chief
4 elected county official of DuPage County.

5 (2) One member representing both Kane and Kendall
6 Counties appointed cooperatively by the mayors of Kane
7 County and Kendall County and the chief elected county
8 officials of Kane County and Kendall County.

9 (3) One member from Lake County appointed
10 cooperatively by the mayors of Lake County and the chief
11 elected county official of Lake County.

12 (4) One member from McHenry County appointed
13 cooperatively by the mayors of McHenry County and the chief
14 elected county official of McHenry County.

15 (5) One member from Will County appointed
16 cooperatively by the mayors of Will County and the chief
17 elected county official of Will County.

18 (6) Five members from the City of Chicago appointed by
19 the Mayor of the City of Chicago.

20 (7) One member from that portion of Cook County outside
21 of the City of Chicago appointed by the President of the
22 Cook County Board of Commissioners.

23 (8) Four members from that portion of Cook County
24 outside of the City of Chicago appointed, with the consent
25 of the President of the Cook County Board of Commissioners,
26 as follows:

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

4 (ii) One by the mayors representing those
5 communities in Cook County that are outside of the City
6 of Chicago, south of Devon Avenue, and north of
7 Interstate 55, and in addition the Village of Summit.

8 (iii) One by the mayors representing those
9 communities in Cook County that are outside of the City
10 of Chicago, south of Interstate 55, and west of
11 Interstate 57, excluding the communities of Summit,
12 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and
13 Tinley Park.

14 (iv) One by the mayors representing those
15 communities in Cook County that are outside of the City
16 of Chicago and east of Interstate 57, and, in addition,
17 the communities of Dixmoor, Posen, Robbins,
18 Midlothian, Oak Forest, and Tinley Park.

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

21 (c-5) On and after the Board Transition Date, the Board
22 shall consist of 18 voting members as follows:

23 (1) Five members appointed by the Mayor of the City of
24 Chicago. Each of these members shall reside in the City of
25 Chicago.

26 (2) Five members appointed by the President of the Cook

1 County Board, with the advice and consent of the members of
2 the Cook County Board elected from districts where a
3 majority of the electors reside outside of Chicago. Each
4 member appointed under this paragraph shall reside in that
5 part of Cook County outside the City of Chicago.

6 (3) Five members appointed as follows:

7 (i) One member appointed by the Chairman of the
8 Kane County Board with the advice and consent of the
9 Kane County Board, and in consultation with the
10 Chairman of the Kendall County Board. That member shall
11 reside in Kane County.

12 (ii) One member appointed by the County Executive
13 of Will County with the advice and consent of the Will
14 County Board. That member shall reside in Will County.

15 (iii) One member appointed by the Chairman of the
16 DuPage County Board with the advice and consent of the
17 DuPage County Board. That member shall reside in DuPage
18 County.

19 (iv) One member appointed by the Chairman of the
20 Lake County Board with the advice and consent of the
21 Lake County Board. That member shall reside in Lake
22 County.

23 (v) One member appointed by the Chairman of the
24 McHenry County Board with the advice and consent of the
25 McHenry County Board. That member shall reside in
26 McHenry County.

1 (4) Three members appointed by the Governor, selected
2 after consultation with the Senate President, the Speaker
3 of the House of Representatives, the Senate Minority
4 Leader, and the House of Representatives Minority Leader.
5 No more than two members may be from the same political
6 party as the Governor holding office at the time the
7 appointments are made. Party membership is defined as
8 having voted in the primary of the party in the last
9 primary before appointment. The residency of those members
10 shall be as follows:

11 (i) one member who resides in the City of Chicago;

12 (ii) one member who resides in Cook County outside
13 the City of Chicago; and

14 (iii) one member who resides in DuPage, Kane, Lake,
15 McHenry, or Will County.

16 The members appointed under this subsection may be
17 appointed from among the members of the governing bodies of
18 the Chicago Metropolitan Agency for Planning and the
19 Regional Transportation Authority serving prior to the
20 Board Transition Date. A member of the Board appointed
21 under this subsection shall not also serve on a Service
22 Board, as defined in Section 1.03 of the Regional
23 Transportation Authority Act. The terms of the members
24 appointed to the Board under this subsection shall begin
25 upon their appointment.

26 (d) The ~~CMAP~~ Board may appoint non-voting members of the

1 Board. On and after the Board Transition Date, the Board shall
2 include a non-voting member appointed by the Chairman of the
3 Kendall County Board. A non-voting member shall reside in
4 Kendall County.

5 (e) (1) The ~~CMAA~~ Board shall create a Wastewater Committee
6 with the responsibility of recommending directly to the
7 Illinois Environmental Protection Agency (IEPA) the
8 appropriateness of proposed requests for modifications and
9 amendments to the established boundaries of wastewater
10 facility planning areas, requests for the creation of new
11 wastewater facility planning areas, requests for the
12 elimination of existing wastewater facility planning areas,
13 requests for new or expanded sewage treatment facilities, or
14 any other amendments to the State of Illinois Water Quality
15 Management Plan required under the federal Clean Water Act. The
16 Chairmanship of the Wastewater Committee shall rotate every 24
17 months between the individuals described in subsections
18 (e) (2) (iv) and (e) (2) (v) with the individual identified in
19 subsection (e) (2) (v) serving as chairman for the initial
20 24-month period commencing on the effective date of this
21 amendatory Act of the 95th General Assembly.

22 (2) The Wastewater Committee shall consist of 5 members
23 of the ~~CMAA~~ Board designated as follows:

24 (i) One member of the Wastewater Committee shall,
25 prior to the Board Transition Date, be one of the ~~CMAA~~
26 Board members designated in subsection (c) (1) through

1 (c) (5) and, on and after the Board Transition Date, one
2 of the Board members designated in subsection
3 (c-5) (3).

4 (ii) One member of the Wastewater Committee shall,
5 prior to the Board Transition Date, be one of the ~~CMAA~~
6 Board members designated in subsection (c) (6) and, on
7 and after the Board Transition Date, one of the Board
8 members designated in subsection (c-5) (1).

9 (iii) One member of the Wastewater Committee
10 shall, prior to the Board Transition Date, be one of
11 the ~~CMAA~~ Board members designated in subsection (c) (7)
12 or (c) (8) and, on and after the Board Transition Date,
13 one of the Board members designated in subsection
14 (c-5) (2).

15 (iv) One member of the Wastewater Committee shall
16 be a person appointed by the President of the
17 Metropolitan Water Reclamation District of Greater
18 Chicago (and who does not need to serve on the ~~CMAA~~
19 Board).

20 (v) One member of the Wastewater Committee shall be
21 a person appointed by the President of the largest
22 statewide association of wastewater agencies (and who
23 does not need to serve on the ~~CMAA~~ Board).

24 (3) Terms of the members of the Wastewater Committee
25 shall be consistent with those identified in Section 25,
26 except that the term of the member of the Wastewater

1 Committee appointed by the President of the Metropolitan
2 Water Reclamation District of Greater Chicago shall expire
3 on July 1, 2009, and the term of the member of the
4 Wastewater Committee appointed by the President of the
5 largest statewide association of wastewater agencies shall
6 expire on July 1, 2009.

7 (f) With the exception of matters considered and
8 recommended by the Wastewater Committee directly to the IEPA,
9 which shall require only a concurrence of a simple majority of
10 the Wastewater Committee members in office, the following
11 affirmative vote requirements shall apply to actions of the
12 Board:

13 (1) Prior to the Board Transition Date, concurrence of
14 four-fifths of the Board members in office is necessary for
15 the Board to take any action; and

16 (2) On and after the Board Transition Date, the
17 affirmative vote of three-fifths of the Board members in
18 office is necessary for the Board to take any action.

19
20 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

21 (70 ILCS 1707/25)

22 Sec. 25. Operations.

23 (a) Each appointing authority shall give notice of its
24 Board appointments to each other appointing authority, to the
25 Board, and to the Secretary of State. Within 30 days after his

1 or her appointment and before entering upon the duties of the
2 office, each Board member shall take and subscribe to the
3 constitutional oath of office and file it with the Secretary of
4 State. Board members shall hold office for a term of 4 years or
5 until successors are appointed and qualified; provided,
6 however, that the terms of all members of the Board then in
7 office shall expire one day before the Board Transition Date,
8 and the terms of Board members appointed under subsection (c-5)
9 of Section 15 of this Act shall expire as set forth in
10 subsection (a-5) of this Section. On and after the Board
11 Transition Date, the Board may meet and take action when 12
12 members have been appointed and are qualified to enter upon the
13 duties of the office under this subsection.

14 The terms of the initial Board members shall expire as
15 follows:

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

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

21 (3) As designated at the time of appointment, the terms
22 of 2 members from the City of Chicago shall expire on July
23 1, 2007 and the terms of 3 members from the City of Chicago
24 shall expire on July 1, 2009.

25 (4) The term of the member appointed by the President
26 of the Cook County Board of Commissioners shall expire on

1 July 1, 2007.

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

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

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

23 (8) The terms of those members appointed, with the
24 consent of the President of the Cook County Board of
25 Commissioners, by the mayors representing those
26 communities in Cook County that are outside of the City of

1 Chicago and east of Interstate 57, and, in addition, the
2 communities of Dixmoor, Posen, Robbins, Midlothian, Oak
3 Forest, and Tinley Park, shall expire on July 1, 2009.

4 (a-5) The terms of the Board members appointed under
5 subsection (c-5) of Section 15 of this Act shall expire as
6 follows:

7 (1) the terms of the members appointed by the Chairmen
8 of the County Boards of DuPage and Kane Counties shall
9 expire on July 1, 2016;

10 (2) the terms of the members appointed by the Chairmen
11 of the County Boards of Lake and McHenry Counties and the
12 member appointed by the County Executive of Will County
13 shall expire on July 1, 2018;

14 (3) as designated at the time of appointment, the terms
15 of 2 members appointed by the Mayor of the City of Chicago
16 shall expire on July 1, 2016 and the terms of 3 members
17 appointed by the Mayor of the City of Chicago shall expire
18 on July 1, 2018;

19 (4) as designated at the time of appointment, the terms
20 of 3 of the members appointed by the President of the Cook
21 County Board shall expire on July 1, 2016 and the terms of
22 2 of the members appointed by the President of the Cook
23 County Board shall expire on July 1, 2018; and

24 (5) as designated at the time of appointment, the terms
25 of 2 of the members appointed by the Governor shall expire
26 on July 1, 2016 and the terms of 1 member appointed by the

1 Governor shall expire on July 1, 2018.

2 (b) If a vacancy occurs, the appropriate appointing
3 authority shall fill the vacancy by an appointment for the
4 unexpired term. Board members shall receive no compensation,
5 but shall be reimbursed for expenses incurred in the
6 performance of their duties.

7 (c) The Board shall be so appointed as to represent the
8 City of Chicago, that part of Cook County outside the City of
9 Chicago, and that part of the metropolitan region outside of
10 Cook County on a one man one vote basis. Within 6 months after
11 the release of each certified federal decennial census, the
12 Board shall review its composition and, if a change is
13 necessary in order to comply with the representation
14 requirements of this subsection (c), shall recommend the
15 necessary revision for approval by the General Assembly.
16 Notwithstanding the foregoing, Board composition shall not be
17 revised to establish a voting member from any county that is
18 not within the metropolitan region as defined in Section 1.03
19 of the Regional Transportation Authority Act.

20 (d) Regular meetings of the Board shall be held at least
21 once in each calendar quarter. The time and place of Board
22 meetings shall be fixed by resolution of the Board. Special
23 meetings of the Board may be called by the chairman or a
24 majority of the Board members. A written notice of the time and
25 place of any special meeting shall be provided to all Board
26 members at least 3 days prior to the date fixed for the

1 meeting, except that if the time and place of a special meeting
2 is fixed at a regular meeting at which all Board members are
3 present, no such written notice is required. A majority of the
4 Board members in office constitutes a quorum for the purpose of
5 convening a meeting of the Board.

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

9 (f) At its initial meeting and its first regular meeting
10 after July 1 of each year thereafter, the Board from its
11 membership shall appoint a chairman and may appoint vice
12 chairmen and shall provide the term and duties of those
13 officers pursuant to its bylaws. On and after the Board
14 Transition Date, the appointment of the chairman shall require
15 the affirmative vote of at least 13 of the then members. Before
16 entering upon duties of office, the chairman shall execute a
17 bond with corporate sureties to be approved by the Board and
18 shall file it with the principal office of the Board. The bond
19 shall be payable to the Board in whatever penal sum may be
20 directed and shall be conditioned upon the faithful performance
21 of the duties of office and the payment of all money received
22 by the chairman according to law and the orders of the Board.
23 The Board may appoint, from time to time, an executive
24 committee and standing and ad hoc committees to assist in
25 carrying out its responsibilities.

26 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

1 (70 ILCS 1707/25a new)

2 Sec. 25a. Recommended legislation to complete the merger of
3 the Regional Transportation Authority and Chicago Metropolitan
4 Agency for Planning.

5 (a) Within 9 months of the Board Transition Date, the Board
6 shall prepare and recommend for enactment by the General
7 Assembly legislation that meets the requirements of subsection
8 (b) of this Section. Prior to submitting its recommended
9 legislation to the General Assembly, the Board shall consult
10 with the appointing authorities of the Board and conduct at
11 least 3 public hearings in Cook County and at least one public
12 hearing in each of the following counties: DuPage County, Kane
13 County, Kendall County, Lake County, McHenry County, and Will
14 County. Through the consultation and public hearing process,
15 the Board shall develop goals, objectives, and principles to
16 charge and guide the governance structure for regional
17 comprehensive planning and transit oversight. These goals,
18 objectives, and principles shall be in addition to the
19 responsibilities of the Board and agency set forth in this Act
20 and shall address and be generally consistent with the
21 following:

22 (i) double the use of public transit in the
23 northeastern Illinois region by 2040;

24 (ii) ensure that transit services are well
25 coordinated, easy to use, safe, reliable, attractive, well

1 maintained, and efficient;

2 (iii) identify and eliminate unnecessary functions of
3 RTA, CMAP, and the Service Boards;

4 (iv) eliminate duplication of functions among RTA,
5 CMAP, and the Service Boards;

6 (v) ensure that methods of raising revenue and
7 allocating funds are based on sound criteria, will reward
8 efficiency and coordinated performance, are fair, and are
9 adequate to meet the northeastern Illinois region's
10 changing needs; and

11 (vi) ensure that transit investments are consistent
12 with the regional comprehensive plan developed under
13 Section 45 of this Act.

14 (b) The legislation prepared by the Board under subsection
15 (a) of this Section shall, without limitation:

16 (i) designate the name of the new agency resulting from
17 the merger of the Regional Transportation Authority and
18 CMAP;

19 (ii) merge the powers and authorities contained within
20 this Act and the Regional Transportation Authority Act;

21 (iii) address the assumption of bonds and other
22 indebtedness of the Regional Transportation Authority and
23 CMAP by the new agency resulting from their merger;

24 (iv) address the transfer of assets, liabilities, and
25 obligations to the new agency;

26 (v) address the ability of employees to transfer

1 creditable service to the pension system utilized by the
2 new agency;

3 (vi) establish methods for allocating operating
4 subsidies to the Service Boards that will replace those
5 methods in effect as of the effective date of this
6 amendatory Act, further the goals identified in subsection
7 (a) of this Section, and be consistent with the strategic
8 planning requirements contained in Sections 2.01 and 2.01a
9 of the Regional Transportation Authority Act;

10 (vii) establish methods for allocating capital funding
11 to the Service Boards that will replace those methods in
12 effect as of the effective date of this amendatory Act of
13 the 98th General Assembly, further the goals identified in
14 subsection (a) of this Section, and be consistent with the
15 strategic planning processes and Five Year Capital Program
16 requirements contained in Sections 2.01, 2.01a, and 2.01b
17 of the Regional Transportation Authority Act; and

18 (viii) include all other provisions needed to
19 effectuate the merger of the staff, operations, and
20 functions of the RTA and CMAP into the new agency.

21 (c) Within 12 months of the Board Transition Date, the
22 Board shall, in cooperation with Illinois Department of
23 Transportation, the Illinois Toll Highway Authority, and the
24 Service Boards, develop, adopt, and commence implementation of
25 a plan to double the use of public transit in the northeastern
26 Illinois region by 2040. The Board shall ensure that the plan

1 is cost-effective and financially sound. Upon adoption, the
2 plan must be submitted to the Governor, the Illinois Senate
3 President, the Speaker of the Illinois House of
4 Representatives, the Illinois Senate Minority Leader, and the
5 Illinois House of Representatives Minority Leader.

6 (70 ILCS 1707/25b new)

7 Sec. 25b. Coordination of Service Boards.

8 (a) By no later than July 1, 2015, the Board shall:

9 (i) develop and commence implementation of a process
10 through which the Service Boards shall engage in joint
11 procurement and purchasing of insurance, risk management
12 services, energy, fuel, and other services or commodities
13 as the Board may determine are appropriate for joint
14 purchasing for the purpose of obtaining best pricing and
15 overall value; and

16 (ii) develop and commence implementation of a system
17 under which each Service Board shall sell tickets or fare
18 cards for the fixed-route transportation services operated
19 by each of the other Service Boards, unless the Service
20 Boards operate under a unified fare payment system. The
21 ticket agents employed by each Service Board shall make
22 tickets and fare cards available to consumers for purchase
23 and shall be trained to assist consumers in accessing the
24 transportation services operated by each of the other
25 Service Boards.

1 (70 ILCS 1707/30)

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

10 On and after the Board Transition Date, for the exercise of
11 authority under the Regional Transportation Authority Act, the
12 jurisdiction and area of operation of the Board includes only
13 the metropolitan region as defined in Section 1.03 of the
14 Regional Transportation Authority Act.

15 (Source: P.A. 94-510, eff. 8-9-05.)

16 (70 ILCS 1707/35)

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

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

23 (2) To enter into agreements with units of local
24 government, transportation agencies, State agencies,

1 federal agencies, and persons in order to implement any of
2 the provisions of this Act, including agreements for
3 specialized planning services.

4 (3) To accept and expend, for purposes consistent with
5 the purposes of this Act, funds and moneys from any source,
6 including gifts, bequests, grants, appropriations, loans,
7 or contributions made by any person, unit of local
8 government, the State, or the federal government.

9 (4) To enter into contracts or other transactions with
10 any unit of local government, transportation agency, State
11 agency, public or private organization, or any other source
12 in furtherance of the purpose of this Act, and to take any
13 necessary action in order to avail itself of such aid and
14 cooperation.

15 (5) To purchase, receive, take by grant, gift, devise,
16 or bequest, lease, or otherwise acquire, own, hold,
17 improve, employ, use, and otherwise deal in and with real
18 or personal property, or any interest therein, wherever
19 situated.

20 (6) To adopt, alter, or repeal its own bylaws and any
21 rules that the Board deems necessary in governing the
22 exercise of its authority and the performance of its duties
23 under this Act.

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

26 (8) To adopt an annual operating budget and work

1 program for each fiscal year and make appropriations in
2 accordance with the Illinois Municipal Budget Law and to
3 have the power to expend such budgeted moneys.

4 (9) To exercise any other implied powers that are
5 necessary or convenient for the Board to accomplish its
6 purposes and that are not inconsistent with its expressed
7 powers.

8 (10) To cooperate with any planning agency of a state
9 contiguous to the region in order to integrate and
10 coordinate plans for development of urban areas in that
11 state with the regional comprehensive plan developed under
12 this Act.

13 (11) On and after the Board Transition Date, to serve
14 as the corporate authorities and governing body of the
15 Regional Transportation Authority under the Regional
16 Transportation Authority Act and to assume all powers and
17 duties of the Board of the Regional Transportation
18 Authority, as provided in the Regional Transportation
19 Authority Act.

20 (12) On and after the Board Transition Date, to manage
21 the operations of CMAP and the Regional Transportation
22 Authority until the time when the powers and authorities of
23 those agencies are merged, including without limitation,
24 determining the appropriate designation of all programs
25 and functions under the authority of the Board.

26 (13) On and after the Board Transition Date, to manage

1 the operating and capital plans and expenditures of CMAP
2 and the Regional Transportation Authority in accordance
3 with the continuing evaluation, review, and audit
4 processes provided in Section 2.01(b) of the Regional
5 Transportation Authority Act.

6 (Source: P.A. 94-510, eff. 8-9-05.)

7 Section 35. The Regional Transportation Authority Act is
8 amended by changing Sections 1.03, 2.14, 3.01, 3.02, 3.03, and
9 3.04 as follows:

10 (70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)

11 Sec. 1.03. Definitions. As used in this Act:

12 "Authority" means the Regional Transportation Authority;

13 "Board" means the Board of Directors of the Regional
14 Transportation Authority;

15 "Board Transition Date" means January 1, 2014 or the first
16 day of the sixth full calendar month following the effective
17 date of this amendatory Act of the 98th General Assembly,
18 whichever is later.

19 "Construct or acquire" means plan, design, construct,
20 reconstruct, improve, modify, extend, landscape, expand or
21 acquire;

22 "Metropolitan Region" means all territory included within
23 the territory of the Authority as provided in this Act, and
24 such territory as may be annexed to the Authority;

1 "Municipality", "County" and "Unit of Local Government"
2 have the meanings given to such terms in Section 1 of Article
3 VII of the Illinois Constitution;

4 "Operate" means operate, maintain, administer, repair,
5 promote and any other acts necessary or proper with regard to
6 such matters;

7 "Public Transportation" means the transportation or
8 conveyance of persons within the metropolitan region by means
9 available to the general public, including groups of the
10 general public with special needs, except for transportation by
11 automobiles not used for conveyance of the general public as
12 passengers;

13 "Public Transportation Facilities" means all equipment or
14 property, real or personal, or rights therein, useful or
15 necessary for providing, maintaining or administering public
16 transportation within the metropolitan region or otherwise
17 useful for carrying out or meeting the purposes or powers of
18 the Authority, except it shall not include roads, streets,
19 highways or bridges or toll highways or toll bridges for
20 general public use; and

21 "Service Boards" means the Board of the Commuter Rail
22 Division of the Authority, the Board of the Suburban Bus
23 Division of the Authority and the Board of the Chicago Transit
24 Authority established pursuant to the "Metropolitan Transit
25 Authority Act", approved April 12, 1945, as now or hereafter
26 amended.

1 "Transportation Agency" means any individual, firm,
2 partnership, corporation, association, body politic, municipal
3 corporation, public authority, unit of local government or
4 other person, other than the Authority and the Service Boards,
5 which provides public transportation, any local mass transit
6 district created pursuant to the "Local Mass Transit District
7 Act", as now or hereafter amended, and any urban transportation
8 district created pursuant to the "Urban Transportation
9 District Act", as now or hereafter amended, which districts are
10 located in whole or in part within the metropolitan region.

11 (Source: P.A. 83-885; 83-886.)

12 (70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)

13 Sec. 2.14. Appointment of Officers and Employees. The
14 Authority may appoint, retain and employ officers, attorneys,
15 agents, engineers and employees. The officers shall include an
16 Executive Director, who shall be the chief executive officer of
17 the Authority. Prior to the Board Transition Date, the
18 Executive Director shall be appointed by the Chairman with the
19 concurrence of 11 of the other then Directors of the Board. On
20 and after the Board Transition Date, the executive director
21 hired under Section 20 of the Regional Planning Act shall also
22 be the Executive Director of the Authority. The Executive
23 Director shall organize the staff of the Authority, shall
24 allocate their functions and duties, shall transfer such staff
25 to the Suburban Bus Division and the Commuter Rail Division as

1 is sufficient to meet their purposes, shall fix compensation
2 and conditions of employment of the staff of the Authority, and
3 consistent with the policies of and direction from the Board,
4 take all actions necessary to achieve its purposes, fulfill its
5 responsibilities and carry out its powers, and shall have such
6 other powers and responsibilities as the Board shall determine.
7 The Executive Director must be an individual of proven
8 transportation and management skills and may not be a member of
9 the Board. The Authority may employ its own professional
10 management personnel to provide professional and technical
11 expertise concerning its purposes and powers and to assist it
12 in assessing the performance of the Service Boards in the
13 metropolitan region.

14 No unlawful discrimination, as defined and prohibited in
15 the Illinois Human Rights Act, shall be made in any term or
16 aspect of employment nor shall there be discrimination based
17 upon political reasons or factors. The Authority shall
18 establish regulations to insure that its discharges shall not
19 be arbitrary and that hiring and promotion are based on merit.

20 The Authority shall be subject to the "Illinois Human
21 Rights Act", as now or hereafter amended, and the remedies and
22 procedure established thereunder. The Authority shall file an
23 affirmative action program for employment by it with the
24 Department of Human Rights to ensure that applicants are
25 employed and that employees are treated during employment,
26 without regard to unlawful discrimination. Such affirmative

1 action program shall include provisions relating to hiring,
2 upgrading, demotion, transfer, recruitment, recruitment
3 advertising, selection for training and rates of pay or other
4 forms of compensation.

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

6 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

7 Sec. 3.01. Board of Directors. Prior to the Board
8 Transition Date, the ~~The~~ corporate authorities and governing
9 body of the Authority shall be a Board consisting of 13
10 Directors until April 1, 2008, and 16 Directors thereafter,
11 appointed as follows:

12 (a) Four Directors appointed by the Mayor of the City of
13 Chicago, with the advice and consent of the City Council of the
14 City of Chicago, and, only until April 1, 2008, a fifth
15 director who shall be the Chairman of the Chicago Transit
16 Authority. After April 1, 2008, the Mayor of the City of
17 Chicago, with the advice and consent of the City Council of the
18 City of Chicago, shall appoint a fifth Director. The Directors
19 appointed by the Mayor of the City of Chicago shall not be the
20 Chairman or a Director of the Chicago Transit Authority. Each
21 such Director shall reside in the City of Chicago.

22 (b) Four Directors appointed by the votes of a majority of
23 the members of the Cook County Board elected from districts, a
24 majority of the electors of which reside outside Chicago. After
25 April 1, 2008, a fifth Director appointed by the President of

1 the Cook County Board with the advice and consent of the
2 members of the Cook County Board. Each Director appointed under
3 this subparagraph shall reside in that part of Cook County
4 outside Chicago.

5 (c) Until April 1, 2008, 3 Directors appointed by the
6 Chairmen of the County Boards of DuPage, Kane, Lake, McHenry,
7 and Will Counties, as follows:

8 (i) Two Directors appointed by the Chairmen of the
9 county boards of Kane, Lake, McHenry and Will Counties,
10 with the concurrence of not less than a majority of the
11 Chairmen from such counties, from nominees by the Chairmen.
12 Each such Chairman may nominate not more than 2 persons for
13 each position. Each such Director shall reside in a county
14 in the metropolitan region other than Cook or DuPage
15 Counties.

16 (ii) One Director appointed by the Chairman of the
17 DuPage County Board with the advice and consent of the
18 DuPage County Board. Such Director shall reside in DuPage
19 County.

20 (d) After April 1, 2008, 5 Directors appointed by the
21 Chairmen of the County Boards of DuPage, Kane, Lake and McHenry
22 Counties and the County Executive of Will County, as follows:

23 (i) One Director appointed by the Chairman of the Kane
24 County Board with the advice and consent of the Kane County
25 Board. Such Director shall reside in Kane County.

26 (ii) One Director appointed by the County Executive of

1 Will County with the advice and consent of the Will County
2 Board. Such Director shall reside in Will County.

3 (iii) One Director appointed by the Chairman of the
4 DuPage County Board with the advice and consent of the
5 DuPage County Board. Such Director shall reside in DuPage
6 County.

7 (iv) One Director appointed by the Chairman of the Lake
8 County Board with the advice and consent of the Lake County
9 Board. Such Director shall reside in Lake County.

10 (v) One Director appointed by the Chairman of the
11 McHenry County Board with the advice and consent of the
12 McHenry County Board. Such Director shall reside in McHenry
13 County.

14 (vi) To implement the changes in appointing authority
15 under this subparagraph (d) the three Directors appointed
16 under subparagraph (c) and residing in Lake County, DuPage
17 County, and Kane County respectively shall each continue to
18 serve as Director until the expiration of their respective
19 term of office and until his or her successor is appointed
20 and qualified or a vacancy occurs in the office. Thereupon,
21 the appointment shall be made by the officials given
22 appointing authority with respect to the Director whose
23 term has expired or office has become vacant.

24 (d-5) On and after the Board Transition Date, the corporate
25 authorities and governing body of the Authority shall be the
26 board appointed under subsection (c-5) of Section 15 of the

1 Regional Planning Act. All references in this Act on or after
2 the Board Transition Date to the Board shall mean the board
3 appointed under subsection (c-5) of Section 15 of the Regional
4 Planning Act. All references in this Act on or after the Board
5 Transition Date to the Directors of the Authority shall mean
6 the voting members of the board appointed under subsection
7 (c-5) of Section 15 of the Regional Planning Act.
8 Notwithstanding anything to the contrary contained in this Act,
9 any action or approval that requires the affirmative vote of
10 the Directors of the Authority under this Act on and after the
11 Board Transition Date may be authorized by the affirmative vote
12 of three-fifths of the members of the board appointed under
13 subsection (c-5) of Section 15 of the Regional Planning Act
14 then holding office.

15 (e) The Chairman serving on the effective date of this
16 amendatory Act of the 95th General Assembly shall continue to
17 serve as Chairman until the expiration of his or her term of
18 office and until his or her successor is appointed and
19 qualified or a vacancy occurs in the office. Upon the
20 expiration or vacancy of the term of the Chairman then serving
21 upon the effective date of this amendatory Act of the 95th
22 General Assembly, and until the Board Transition Date, the
23 Chairman shall be appointed by the other Directors, by the
24 affirmative vote of at least 11 of the then Directors with at
25 least 2 affirmative votes from Directors who reside in the City
26 of Chicago, at least 2 affirmative votes from Directors who

1 reside in Cook County outside the City of Chicago, and at least
2 affirmative votes from Directors who reside in the Counties
3 of DuPage, Lake, Will, Kane, or McHenry. Until the Board
4 Transition Date, the ~~The~~ chairman shall not be appointed from
5 among the other Directors. The chairman shall be a resident of
6 the metropolitan region. On and after the Board Transition
7 Date, the chairman of the Authority shall mean the Chairman
8 appointed under subsection (f) of Section 25 of the Regional
9 Planning Act.

10 (f) Except as otherwise provided by this Act no Director
11 shall, while serving as such, be an officer, a member of the
12 Board of Directors or Trustees or an employee of any Service
13 Board or transportation agency, or be an employee of the State
14 of Illinois or any department or agency thereof, or of any unit
15 of local government or receive any compensation from any
16 elected or appointed office under the Constitution and laws of
17 Illinois; except that a Director may be a member of a school
18 board.

19 (g) Each appointment made under this Section and under
20 Section 3.03 shall be certified by the appointing authority to
21 the Board, which shall maintain the certifications as part of
22 the official records of the Authority.

23 (h) (Blank).

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

25 (70 ILCS 3615/3.02) (from Ch. 111 2/3, par. 703.02)

1 Sec. 3.02. Chairman and Other Officers. The Chairman shall
2 preside at meetings of the Board, and shall be entitled to vote
3 on all matters. The Board shall select a Secretary and a
4 Treasurer and may select persons to fill such other offices of
5 the Authority and to perform such duties as it shall from time
6 to time determine. The Secretary, Treasurer and other officers
7 of the Authority may, but need not be, members of the Board.

8 This Section 3.02 is repealed on the Board Transition Date.
9 (Source: P.A. 83-886.)

10 (70 ILCS 3615/3.03) (from Ch. 111 2/3, par. 703.03)

11 Sec. 3.03. Terms, vacancies. Each Director shall hold
12 office for a term of 5 years, and until his successor has been
13 appointed and has qualified. A vacancy shall occur upon
14 resignation, death, conviction of a felony, or removal from
15 office of a Director. Any Director may be removed from office
16 (i) upon concurrence of not less than 11 Directors, on a formal
17 finding of incompetence, neglect of duty, or malfeasance in
18 office or (ii) by the Governor in response to a summary report
19 received from the Executive Inspector General in accordance
20 with Section 20-50 of the State Officials and Employees Ethics
21 Act, provided he or she has an opportunity to be publicly heard
22 in person or by counsel prior to removal. Within 30 days after
23 the office of any member becomes vacant for any reason, the
24 appointing authorities of such member shall make an appointment
25 to fill the vacancy. A vacancy shall be filled for the

1 unexpired term.

2 Whenever a vacancy for a Director, except as to the
3 Chairman or those Directors appointed by the Mayor of the City
4 of Chicago, exists for longer than 4 months, the new Director
5 shall be chosen by election by all legislative members in the
6 General Assembly representing the affected area. In order to
7 qualify as a voting legislative member in this matter, the
8 affected area must be more than 50% of the geographic area of
9 the legislative district.

10 This Section 3.03 is repealed as of the Board Transition
11 Date.

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

13 (70 ILCS 3615/3.04) (from Ch. 111 2/3, par. 703.04)

14 Sec. 3.04. Compensation. Each Director including the
15 Chairman, except for the Chairman of the Chicago Transit
16 Authority who shall not be compensated by the Authority, shall
17 be compensated at the rate of \$25,000 per year.

18 Officers of the Authority shall not be required to comply
19 with the requirements of "An Act requiring certain custodians
20 of public moneys to file and publish statements of the receipts
21 and disbursements thereof", approved June 24, 1919, as now or
22 hereafter amended.

23 This Section 3.04 is repealed as of the Board Transition
24 Date.

25 (Source: P.A. 83-885; 83-886.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".