



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5747

by Rep. Michael W. Tryon

SYNOPSIS AS INTRODUCED:

70 ILCS 3605/20	from Ch. 111 2/3, par. 320
70 ILCS 3615/3.01	from Ch. 111 2/3, par. 703.01
70 ILCS 3615/3A.02	from Ch. 111 2/3, par. 703A.02
70 ILCS 3615/3B.02	from Ch. 111 2/3, par. 703B.02

Amends the Metropolitan Transit Authority Act and the Regional Transportation Authority Act. Provides that individuals are eligible for appointment to the Chicago Transit Board, the Regional Transportation Authority Board, the Commuter Rail Board, or the Suburban Bus Board if he or she possesses at least 5 years of experience in transportation, finance, or urban or financial planning and has resided in the geographic area for which he or she is appointed for at least one year. Requires a member of the Chicago Transit Board and Directors of the Regional Transportation Authority Board, the Commuter Rail Board, and the Suburban Bus Board to reside in the geographic area for which he or she is appointed for the duration of his or her term. Provides that if a member or Director ceases to reside in the geographic area for which he or she is appointed for more than 3 months, his or her office shall be vacant and may be filled by the appropriate appointing authority.

LRB098 18218 JLK 53349 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 Metropolitan Transit Authority Act is
5 amended by changing Section 20 as follows:

6 (70 ILCS 3605/20) (from Ch. 111 2/3, par. 320)

7 Sec. 20. Within sixty (60) days after the adoption of this
8 Act by the electors of one or more cities, villages and
9 incorporated towns within the metropolitan area having a
10 population in the aggregate of at least 100,000 according to
11 the Federal census of 1940, the Governor, by and with the
12 advice and consent of the Senate, shall appoint three members
13 of the Board for initial terms expiring September first of the
14 years 1947, 1948 and 1949, respectively, at least one of which
15 members shall be a resident of that portion of the metropolitan
16 area which is outside the corporate limits of the City of
17 Chicago, and the Mayor, with advice and consent of the City
18 Council of the City of Chicago, shall appoint four members of
19 the Board for initial terms expiring September first of the
20 years 1946, 1950, 1951 and 1952, respectively. At the
21 expiration of the term of any member appointed by the Governor
22 his successor shall be appointed by the Governor, and at the
23 expiration of the term of any member appointed by the Mayor his

1 successor shall be appointed by the Mayor in like manner, and
2 with like regard as to the place of residence of the appointee,
3 as appointments for the initial terms. All successors shall
4 hold office for the term of seven years from the first day of
5 September of the year in which they are appointed, except in
6 case of an appointment to fill a vacancy. In case of vacancy in
7 the office of any member appointed by the Governor during the
8 recess of the Senate, the Governor shall make a temporary
9 appointment until the next meeting of the Senate when he shall
10 nominate some person to fill such office; and any person so
11 nominated, who is confirmed by the Senate, shall hold his
12 office during the remainder of the term and until his successor
13 shall be appointed and qualified. If the Senate is not in
14 session at the time this Act takes effect, the Governor shall
15 make temporary appointments as in case of vacancies. Each
16 appointment by the Governor shall be subject to approval by the
17 Mayor, and each appointment by the Mayor shall be subject to
18 approval by the Governor and, when so approved, the Governor
19 and the Mayor shall certify their respective appointments and
20 approvals to the Secretary of State. If the Governor or the
21 Mayor does not approve or disapprove the appointment by the
22 Mayor or the Governor, respectively, within 15 days after
23 receipt thereof, the person is appointed. Within thirty days
24 after certification and approval of his appointment, and before
25 entering upon the duties of his office, each member of the
26 Board shall take and subscribe the constitutional oath of

1 office and file it in the office of the Secretary of State.

2 For appointments made on and after the effective date of
3 this amendatory Act of the 98th General Assembly, an individual
4 is eligible for appointment only if he or she:

5 (1) possesses at least 5 years of experience in
6 transportation, finance, or urban or financial planning;
7 and

8 (2) has resided in the geographic area for which he or
9 she is to be appointed for at least one year.

10 A member shall reside in the geographic area for which he
11 or she is appointed for the duration of his or her term. If a
12 member ceases to reside in the geographic area for which he or
13 she was appointed for at least 3 months, his or her office
14 shall be vacant and may be filled by the appropriate appointing
15 authority for the remainder of the unexpired term.

16 (Source: P.A. 79-938.)

17 Section 10. The Regional Transportation Authority Act is
18 amended by changing Sections 3.01, 3A.02, and 3B.02 as follows:

19 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

20 Sec. 3.01. Board of Directors. The corporate authorities
21 and governing body of the Authority shall be a Board consisting
22 of 13 Directors until April 1, 2008, and 16 Directors
23 thereafter, appointed as follows:

24 (a) Four Directors appointed by the Mayor of the City of

1 Chicago, with the advice and consent of the City Council of the
2 City of Chicago, and, only until April 1, 2008, a fifth
3 director who shall be the Chairman of the Chicago Transit
4 Authority. After April 1, 2008, the Mayor of the City of
5 Chicago, with the advice and consent of the City Council of the
6 City of Chicago, shall appoint a fifth Director. The Directors
7 appointed by the Mayor of the City of Chicago shall not be the
8 Chairman or a Director of the Chicago Transit Authority. Each
9 such Director shall reside in the City of Chicago.

10 (b) Four Directors appointed by the votes of a majority of
11 the members of the Cook County Board elected from districts, a
12 majority of the electors of which reside outside Chicago. After
13 April 1, 2008, a fifth Director appointed by the President of
14 the Cook County Board with the advice and consent of the
15 members of the Cook County Board. Each Director appointed under
16 this subparagraph shall reside in that part of Cook County
17 outside Chicago.

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

21 (i) Two Directors appointed by the Chairmen of the
22 county boards of Kane, Lake, McHenry and Will Counties,
23 with the concurrence of not less than a majority of the
24 Chairmen from such counties, from nominees by the Chairmen.
25 Each such Chairman may nominate not more than 2 persons for
26 each position. Each such Director shall reside in a county

1 in the metropolitan region other than Cook or DuPage
2 Counties.

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

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

13 (ii) One Director appointed by the County Executive of
14 Will County with the advice and consent of the Will County
15 Board. Such Director shall reside in Will County.

16 (iii) 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 (iv) One Director appointed by the Chairman of the Lake
21 County Board with the advice and consent of the Lake County
22 Board. Such Director shall reside in Lake County.

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

1 (vi) To implement the changes in appointing authority
2 under this subparagraph (d) the three Directors appointed
3 under subparagraph (c) and residing in Lake County, DuPage
4 County, and Kane County respectively shall each continue to
5 serve as Director until the expiration of their respective
6 term of office and until his or her successor is appointed
7 and qualified or a vacancy occurs in the office. Thereupon,
8 the appointment shall be made by the officials given
9 appointing authority with respect to the Director whose
10 term has expired or office has become vacant.

11 (e) The Chairman serving on the effective date of this
12 amendatory Act of the 95th General Assembly shall continue to
13 serve as Chairman until the expiration of his or her term of
14 office and until his or her successor is appointed and
15 qualified or a vacancy occurs in the office. Upon the
16 expiration or vacancy of the term of the Chairman then serving
17 upon the effective date of this amendatory Act of the 95th
18 General Assembly, the Chairman shall be appointed by the other
19 Directors, by the affirmative vote of at least 11 of the then
20 Directors with at least 2 affirmative votes from Directors who
21 reside in the City of Chicago, at least 2 affirmative votes
22 from Directors who reside in Cook County outside the City of
23 Chicago, and at least 2 affirmative votes from Directors who
24 reside in the Counties of DuPage, Lake, Will, Kane, or McHenry.
25 The chairman shall not be appointed from among the other
26 Directors. The chairman shall be a resident of the metropolitan

1 region.

2 (f) Except as otherwise provided by this Act no Director
3 shall, while serving as such, be an officer, a member of the
4 Board of Directors or Trustees or an employee of any Service
5 Board or transportation agency, or be an employee of the State
6 of Illinois or any department or agency thereof, or of any unit
7 of local government or receive any compensation from any
8 elected or appointed office under the Constitution and laws of
9 Illinois; except that a Director may be a member of a school
10 board.

11 (g) Each appointment made under this Section and under
12 Section 3.03 shall be certified by the appointing authority to
13 the Board, which shall maintain the certifications as part of
14 the official records of the Authority.

15 (h) (Blank).

16 (i) For appointments made on and after the effective date
17 of this amendatory Act of the 98th General Assembly, an
18 individual is eligible for appointment only if he or she:

19 (1) possesses at least 5 years of experience in
20 transportation, finance, or urban or financial planning;
21 and

22 (2) has resided in the geographic area for which he or
23 she is to be appointed for at least one year.

24 A Director shall reside in the geographic area for which he
25 or she is appointed for the duration of his or her term. If a
26 Director ceases to reside in the geographic area for which he

1 or she was appointed for at least 3 months, his or her office
2 shall be vacant and may be filled as set forth in Section 3.03
3 of this Act for the remainder of the unexpired term.

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

5 (70 ILCS 3615/3A.02) (from Ch. 111 2/3, par. 703A.02)

6 Sec. 3A.02. Suburban Bus Board. The governing body of the
7 Suburban Bus Division shall be a board consisting of 13
8 directors appointed as follows:

9 (a) Six Directors appointed by the members of the Cook
10 County Board elected from that part of Cook County outside
11 of Chicago, or in the event such Board of Commissioners
12 becomes elected from single member districts, by those
13 Commissioners elected from districts, a majority of the
14 residents of which reside outside of Chicago from the chief
15 executive officers of the municipalities, of that portion
16 of Cook County outside of Chicago. Provided however, that:

17 (i) One of the Directors shall be the chief
18 executive officer of a municipality within the area of
19 the Northwest Region defined in Section 3A.13;

20 (ii) One of the Directors shall be the chief
21 executive officer of a municipality within the area of
22 the North Central Region defined in Section 3A.13;

23 (iii) One of the Directors shall be the chief
24 executive officer of a municipality within the area of
25 the North Shore Region defined in Section 3A.13;

1 (iv) One of the Directors shall be the chief
2 executive officer of a municipality within the area of
3 the Central Region defined in Section 3A.13;

4 (v) One of the Directors shall be the chief
5 executive officer of a municipality within the area of
6 the Southwest Region defined in Section 3A.13;

7 (vi) One of the Directors shall be the chief
8 executive officer of a municipality within the area of
9 the South Region defined in Section 3A.13;

10 (b) One Director by the Chairman of the Kane County
11 Board who shall be a chief executive officer of a
12 municipality within Kane County;

13 (c) One Director by the Chairman of the Lake County
14 Board who shall be a chief executive officer of a
15 municipality within Lake County;

16 (d) One Director by the Chairman of the DuPage County
17 Board who shall be a chief executive officer of a
18 municipality within DuPage County;

19 (e) One Director by the Chairman of the McHenry County
20 Board who shall be a chief executive officer of a
21 municipality within McHenry County;

22 (f) One Director by the Chairman of the Will County
23 Board who shall be a chief executive officer of a
24 municipality within Will County;

25 (g) The Commissioner of the Mayor's Office for People
26 with Disabilities, from the City of Chicago, who shall

1 serve as an ex-officio member; and

2 (h) The Chairman by the Governor for the initial term,
3 and thereafter by a majority of the Chairmen of the DuPage,
4 Kane, Lake, McHenry and Will County Boards and the members
5 of the Cook County Board elected from that part of Cook
6 County outside of Chicago, or in the event such Board of
7 Commissioners is elected from single member districts, by
8 those Commissioners elected from districts, a majority of
9 the electors of which reside outside of Chicago; and who
10 after the effective date of this amendatory Act of the 95th
11 General Assembly may not be a resident of the City of
12 Chicago.

13 For appointments made on and after the effective date of
14 this amendatory Act of the 98th General Assembly, an individual
15 is eligible for appointment only if he or she:

16 (1) possesses at least 5 years of experience in
17 transportation, finance, or urban or financial planning;
18 and

19 (2) has resided in the geographic area for which he or
20 she is to be appointed for at least one year.

21 A Director shall reside in the geographic area for which he
22 or she is appointed for the duration of his or her term. If a
23 Director ceases to reside in the geographic area for which he
24 or she was appointed for at least 3 months, his or her office
25 shall be vacant and may be filled as set forth in Section 3A.03
26 of this Act for the remainder of the unexpired term.

1 Each appointment made under paragraphs (a) through (g) and
2 under Section 3A.03 shall be certified by the appointing
3 authority to the Suburban Bus Board which shall maintain the
4 certifications as part of the official records of the Suburban
5 Bus Board; provided that the initial appointments shall be
6 certified to the Secretary of State, who shall transmit the
7 certifications to the Suburban Bus Board following its
8 organization.

9 For the purposes of this Section, "chief executive officer
10 of a municipality" includes a former chief executive officer of
11 a municipality within the specified Region or County, provided
12 that the former officer continues to reside within such Region
13 or County.

14 (Source: P.A. 95-906, eff. 8-26-08.)

15 (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

16 Sec. 3B.02. Commuter Rail Board.

17 (a) Until April 1, 2008, the governing body of the Commuter
18 Rail Division shall be a board consisting of 7 directors
19 appointed pursuant to Sections 3B.03 and 3B.04, as follows:

20 (1) One director shall be appointed by the Chairman of
21 the Board of DuPage County with the advice and consent of
22 the County Board of DuPage County and shall reside in
23 DuPage County.

24 (2) Two directors appointed by the Chairmen of the
25 County Boards of Kane, Lake, McHenry and Will Counties with

1 the concurrence of not less than a majority of the chairmen
2 from such counties, from nominees by the Chairmen. Each
3 such chairman may nominate not more than two persons for
4 each position. Each such director shall reside in a county
5 in the metropolitan region other than Cook or DuPage
6 County.

7 (3) Three directors appointed by the members of the
8 Cook County Board elected from that part of Cook County
9 outside of Chicago, or, in the event such Board of
10 Commissioners becomes elected from single member
11 districts, by those Commissioners elected from districts,
12 a majority of the residents of which reside outside
13 Chicago. In either case, such appointment shall be with the
14 concurrence of four such Commissioners. Each such director
15 shall reside in that part of Cook County outside Chicago.

16 (4) One director appointed by the Mayor of the City of
17 Chicago, with the advice and consent of the City Council of
18 the City of Chicago. Such director shall reside in the City
19 of Chicago.

20 (5) The chairman shall be appointed by the directors,
21 from the members of the board, with the concurrence of 5 of
22 such directors.

23 (b) After April 1, 2008 the governing body of the Commuter
24 Rail Division shall be a board consisting of 11 directors
25 appointed, pursuant to Sections 3B.03 and 3B.04, as follows:

26 (1) One Director shall be appointed by the Chairman of

1 the DuPage County Board with the advice and consent of the
2 DuPage County Board and shall reside in DuPage County. To
3 implement the changes in appointing authority under this
4 Section, upon the expiration of the term of or vacancy in
5 office of the Director appointed under item (1) of
6 subsection (a) of this Section who resides in DuPage
7 County, a Director shall be appointed under this
8 subparagraph.

9 (2) One Director shall be appointed by the Chairman of
10 the McHenry County Board with the advice and consent of the
11 McHenry County Board and shall reside in McHenry County. To
12 implement the change in appointing authority under this
13 Section, upon the expiration of the term of or vacancy in
14 office of the Director appointed under item (2) of
15 subsection (a) of this Section who resides in McHenry
16 County, a Director shall be appointed under this
17 subparagraph.

18 (3) One Director shall be appointed by the Will County
19 Executive with the advice and consent of the Will County
20 Board and shall reside in Will County. To implement the
21 change in appointing authority under this Section, upon the
22 expiration of the term of or vacancy in office of the
23 Director appointed under item (2) of subsection (a) of this
24 Section who resides in Will County, a Director shall be
25 appointed under this subparagraph.

26 (4) One Director shall be appointed by the Chairman of

1 the Lake County Board with the advice and consent of the
2 Lake County Board and shall reside in Lake County.

3 (5) One Director shall be appointed by the Chairman of
4 the Kane County Board with the advice and consent of the
5 Kane County Board and shall reside in Kane County.

6 (6) One Director shall be appointed by the Mayor of the
7 City of Chicago with the advice and consent of the City
8 Council of the City of Chicago and shall reside in the City
9 of Chicago. To implement the changes in appointing
10 authority under this Section, upon the expiration of the
11 term of or vacancy in office of the Director appointed
12 under item (4) of subsection (a) of this Section who
13 resides in the City of Chicago, a Director shall be
14 appointed under this subparagraph.

15 (7) Five Directors residing in Cook County outside of
16 the City of Chicago, as follows:

17 (i) One Director who resides in Cook County outside
18 of the City of Chicago, appointed by the President of
19 the Cook County Board with the advice and consent of
20 the members of the Cook County Board.

21 (ii) One Director who resides in the township of
22 Barrington, Palatine, Wheeling, Hanover, Schaumburg,
23 or Elk Grove. To implement the changes in appointing
24 authority under this Section, upon the expiration of
25 the term of or vacancy in office of the Director
26 appointed under paragraph (3) of subsection (a) of this

1 Section who resides in the geographic area described in
2 this subparagraph, a Director shall be appointed under
3 this subparagraph.

4 (iii) One Director who resides in the township of
5 Northfield, New Trier, Maine, Niles, Evanston, Leyden,
6 Norwood Park, River Forest, or Oak Park.

7 (iv) One Director who resides in the township of
8 Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney,
9 Lemont, Palos, or Orland. To implement the changes in
10 appointing authority under this Section, upon the
11 expiration of the term of or vacancy in office of the
12 Director appointed under paragraph (3) of subsection
13 (a) of this Section who resides in the geographic area
14 described in this subparagraph and whose term of office
15 had not expired as of August 1, 2007, a Director shall
16 be appointed under this subparagraph.

17 (v) One Director who resides in the township of
18 Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To
19 implement the changes in appointing authority under
20 this Section, upon the expiration of the term of or
21 vacancy in office of the Director appointed under
22 paragraph (3) of subsection (a) of this Section who
23 resides in the geographic area described in this
24 subparagraph and whose term of office had expired as of
25 August 1, 2007, a Director shall be appointed under
26 this subparagraph.

1 (vi) The Directors identified under the provisions
2 of subparagraphs (ii) through (v) of this paragraph (7)
3 shall be appointed by the members of the Cook County
4 Board. Each individual Director shall be appointed by
5 those members of the Cook County Board whose Board
6 districts overlap in whole or in part with the
7 geographic territory described in the relevant
8 subparagraph. The vote of County Board members
9 eligible to appoint directors under the provisions of
10 subparagraphs (ii) through (v) of this paragraph (7)
11 shall be weighted by the number of electors residing in
12 those portions of their Board districts within the
13 geographic territory described in the relevant
14 subparagraph (ii) through (v) of this paragraph (7).

15 (8) The Chairman shall be appointed by the Directors,
16 from the members of the Board, with the concurrence of 8 of
17 such Directors. To implement the changes in appointing
18 authority under this Section, upon the expiration of the
19 term of or vacancy in office of the Chairman appointed
20 under item (5) of subsection (a) of this Section, a
21 Chairman shall be appointed under this subparagraph.

22 (c) No director, while serving as such, shall be an
23 officer, a member of the board of directors or trustee or an
24 employee of any transportation agency, or be an employee of the
25 State of Illinois or any department or agency thereof, or of
26 any unit of local government or receive any compensation from

1 any elected or appointed office under the Constitution and laws
2 of Illinois.

3 (d) Each appointment made under subsections (a) and (b) of
4 this Section and under Section 3B.03 shall be certified by the
5 appointing authority to the Commuter Rail Board which shall
6 maintain the certifications as part of the official records of
7 the Commuter Rail Board.

8 (e) For appointments made on and after the effective date
9 of this amendatory Act of the 98th General Assembly, an
10 individual is eligible for appointment only if he or she:

11 (1) possesses at least 5 years of experience in
12 transportation, finance, or urban or financial planning;
13 and

14 (2) has resided in the geographic area for which he or
15 she is to be appointed for at least one year.

16 A Director shall reside in the geographic area for which he
17 or she is appointed for the duration of his or her term. If a
18 Director ceases to reside in the geographic area for which he
19 or she was appointed for at least 3 months, his or her office
20 shall be vacant and may be filled as set forth in Section 3B.03
21 of this Act for the remainder of the unexpired term.

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