



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1594

Introduced 2/13/2013, by Sen. Terry Link

SYNOPSIS AS INTRODUCED:

See Index

Creates the Transportation Modernization Act. Provides for the purpose of the Act and creates a transition committee that shall develop a detailed staff and operations integration plan to merge the staffs and operations of the Regional Transportation Authority and the Chicago Metropolitan Agency for Planning. Provides guidelines for the staff and operations integration plan. Amends the Regional Planning Act. Defines "Board Transition Date" and "service boards". Provides that on or after the Board Transition Date: (1) the Board shall consist of 18 members with specifically designated appointments and terms; (2) new Board appointees shall also serve as members of the Wastewater Committee; (3) an affirmative vote of three-fifths of Board members is required to take any action; and (4) the appointment of the chairman shall require the affirmative vote of at least 13 of the then members. Further provides that terms of board members currently appointed shall expire the day before the Board Transition Date. Provides that Board composition shall not be revised to allow a voting member that does not reside within the metropolitan region. Provides recommended legislation to complete the merger of the RTA and CMA. Further provides that for the exercise of authority under the Regional Transportation Authority Act, the jurisdiction and area of operation of the Board includes only the metropolitan region. Provides additional powers to the Board with respect to merging the RTA and CMAP. Amends the Regional Transportation Authority Act. Defines "Board Transition Date". Provides that the executive director hired under the Regional Planning Act shall serve as the Executive Director of the Authority. Provides for Board appointments after the Board Transition Date. Repeals Sections regarding the Chairman and other officers, terms and vacancies, and compensation on the Board Transition Date. Effective immediately.

LRB098 10051 OMW 40210 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 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
17 address the region's development and transportation
18 challenges. It is intended that the new board and agency
19 resulting from this merger eliminate unnecessary and
20 duplicative functions and provide the most cost-effective
21 means to ensure that transit services are fast, well-planned,
22 coordinated, well-maintained, efficient, convenient, safe, and
23 attractive and achieve a doubling of transit use in 25 years.

1 Section 10. Transition Committee.

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

- 5 (1) The Executive Directors of both RTA and CMAP;
6 (2) The board chairpersons of both RTA and CMAP; and
7 (3) Two other board members selected by the RTA's and
8 CMAP's respective board chairpersons.

9 CMAP shall provide staffing support for the Transition
10 Committee.

11 (b) Within 6 months of the effective date of this Act, the
12 Executive Director of CMAP, in consultation with the other
13 members of the Transition Committee, shall develop a detailed
14 staff and operations integration plan to merge the staffs and
15 operations of the RTA and CMAP to the fullest extent
16 permissible by law. The members of the Transition Committee
17 shall consult with the appointing authorities of the RTA and
18 CMAP governing boards during the development of the staff and
19 operations integration plan. The staff and operations
20 integration plan must address, without limitation:

21 (1) Labor and employment matters, including employee
22 pensions and benefits;

23 (2) Operational and administrative matters relating to
24 the merging of staff and operations, including equipment
25 and technology, leases and contracts, and office space;

1 (3) The alignment of functions and responsibilities of
2 the RTA and CMAP; and

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

5 (c) Within 8 months of the effective date of this Act, the
6 Executive Director of CMAP, in consultation with the other
7 members of Transition Committee and subject to applicable
8 governing board authority, shall oversee the merger of the
9 staff and operations of RTA into CMAP and implement those
10 portions of the staff and operations integration plan that do
11 not require further legislative action to effectuate.

12 Section 15. The Regional Planning Act is amended by
13 changing Sections 10, 15, 25, 30, and 35 and by adding Sections
14 25a and 25b as follows:

15 (70 ILCS 1707/10)

16 Sec. 10. Definitions.

17 "Board" means the Board of the Chicago Metropolitan Agency
18 for Planning.

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

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

24 "Chief elected county official" means the Board Chairman in

1 DuPage, Kane, Kendall, Lake, and McHenry Counties and the
2 County Executive in Will County.

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

4 "IDOT" means the Illinois Department of Transportation.

5 "MPO" means the metropolitan planning organization
6 designated under 23 U.S.C. 134.

7 "Members" means the members of the Board.

8 "Person" means an individual, partnership, firm, public or
9 private corporation, State agency, transportation agency, or
10 unit of local government.

11 "Policy Committee" means the decision-making body of the
12 MPO.

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

15 "Service Boards" means the Board of the Commuter Rail
16 Division of the Regional Transportation Authority, the Board of
17 the Suburban Bus Division of the Regional Transportation
18 Authority, and the Board of the Chicago Transit Authority
19 established under the "Metropolitan Transit Authority Act",
20 approved April 12, 1945, as now or hereafter amended.

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

23 "Transportation agency" means the Regional Transportation
24 Authority and its Service Boards; the Illinois Toll Highway
25 Authority; the Illinois Department of Transportation; and the
26 transportation functions of units of local government.

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

5 "USDOT" means the United States Department of
6 Transportation.

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

8 (70 ILCS 1707/15)

9 Sec. 15. Chicago Metropolitan Agency for Planning;
10 structure.

11 (a) The Chicago Metropolitan Agency for Planning is
12 established as a political subdivision, body politic, and
13 municipal corporation. The Board shall be responsible for
14 developing and adopting a funding and implementation strategy
15 for an integrated land use and transportation planning process
16 for the northeastern Illinois region.

17 (b) (Blank.)

18 (c) Prior to the Board Transition Date, the ~~The~~ Board shall
19 consist of 15 voting members as follows:

20 (1) One member from DuPage County appointed
21 cooperatively by the mayors of DuPage County and the chief
22 elected county official of DuPage County.

23 (2) One member representing both Kane and Kendall
24 Counties appointed cooperatively by the mayors of Kane
25 County and Kendall County and the chief elected county

1 officials of Kane County and Kendall County.

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

5 (4) One member from McHenry County appointed
6 cooperatively by the mayors of McHenry County and the chief
7 elected county official of McHenry County.

8 (5) One member from Will County appointed
9 cooperatively by the mayors of Will County and the chief
10 elected county official of Will County.

11 (6) Five members from the City of Chicago appointed by
12 the Mayor of the City of Chicago.

13 (7) One member from that portion of Cook County outside
14 of the City of Chicago appointed by the President of the
15 Cook County Board of Commissioners.

16 (8) Four members from that portion of Cook County
17 outside of the City of Chicago appointed, with the consent
18 of the President of the Cook County Board of Commissioners,
19 as follows:

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

23 (ii) One by the mayors representing those
24 communities in Cook County that are outside of the City
25 of Chicago, south of Devon Avenue, and north of
26 Interstate 55, and in addition the Village of Summit.

1 (iii) One by the mayors representing those
2 communities in Cook County that are outside of the City
3 of Chicago, south of Interstate 55, and west of
4 Interstate 57, excluding the communities of Summit,
5 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and
6 Tinley Park.

7 (iv) One by the mayors representing those
8 communities in Cook County that are outside of the City
9 of Chicago and east of Interstate 57, and, in addition,
10 the communities of Dixmoor, Posen, Robbins,
11 Midlothian, Oak Forest, and Tinley Park.

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

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

16 (1) Five members appointed by the Mayor of the City of
17 Chicago. Each of these members shall reside in the City of
18 Chicago.

19 (2) Five members appointed by the President of the Cook
20 County Board, with the advice and consent of the members of
21 the Cook County Board elected from districts where a
22 majority of the electors reside outside of Chicago. Each
23 member appointed under this paragraph shall reside in that
24 part of Cook County outside the City of Chicago.

25 (3) Five members appointed as follows:

26 (i) One member appointed by the Chairman of the

1 Kane County Board with the advice and consent of the
2 Kane County Board, and in consultation with the
3 Chairman of the Kendall County Board. That member shall
4 reside in Kane County.

5 (ii) One member appointed by the County Executive
6 of Will County with the advice and consent of the Will
7 County Board. That member shall reside in Will County.

8 (iii) One member appointed by the Chairman of the
9 DuPage County Board with the advice and consent of the
10 DuPage County Board. That member shall reside in DuPage
11 County.

12 (iv) One member appointed by the Chairman of the
13 Lake County Board with the advice and consent of the
14 Lake County Board. That member shall reside in Lake
15 County.

16 (v) One member appointed by the Chairman of the
17 McHenry County Board with the advice and consent of the
18 McHenry County Board. That member shall reside in
19 McHenry County.

20 (4) Three members appointed by the Governor, selected
21 after consultation with the Senate President, the Speaker
22 of the House of Representatives, the Senate Minority
23 Leader, and the House of Representatives Minority Leader.
24 No more than two members may be from the same political
25 party as the Governor holding office at the time the
26 appointments are made. Party membership is defined as

1 having voted in the primary of the party in the last
2 primary before appointment. The residency of those members
3 shall be as follows:

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

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

7 (iii) one member who resides in DuPage, Kane,
8 Kendall, Lake, McHenry, or Will County.

9 The members appointed under this subsection may be
10 appointed from among the members of the governing bodies of
11 the Chicago Metropolitan Agency for Planning and the
12 Regional Transportation Authority serving prior to the
13 Board Transition Date. A member of the Board appointed
14 under this subsection shall not also serve on a Service
15 Board, as defined in Section 1.03 of the Regional
16 Transportation Authority Act. The terms of the members
17 appointed to the Board under this subsection shall begin
18 upon their appointment.

19 (d) The ~~CMAP~~ Board may appoint non-voting members of the
20 Board. On and after the Board Transition Date, the Board shall
21 include a non-voting member appointed by the Chairman of the
22 Kendall County Board. A non-voting member shall reside in
23 Kendall County.

24 (e) (1) The CMAP Board shall create a Wastewater Committee
25 with the responsibility of recommending directly to the
26 Illinois Environmental Protection Agency (IEPA) the

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

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

17 (i) One member of the Wastewater Committee shall, l
18 prior to the Board Transition Date, be one of the ~~CMAA~~
19 Board members designated in subsection (c) (1) through
20 (c) (5) and, on and after the Board Transition Date, one
21 of the Board members designated in subsection
22 (c-5) (3).

23 (ii) One member of the Wastewater Committee shall, l
24 prior to the Board Transition Date, be one of the ~~CMAA~~
25 Board members designated in subsection (c) (6) and, on
26 and after the Board Transition Date, one of the Board

1 members designated in subsection (c-5) (1).

2 (iii) One member of the Wastewater Committee
3 shall, prior to the Board Transition Date, be one of
4 the ~~CMAA~~ Board members designated in subsection (c) (7)
5 or (c) (8) and, on and after the Board Transition Date,
6 one of the Board members designated in subsection
7 (c-5) (2).

8 (iv) One member of the Wastewater Committee shall
9 be a person appointed by the President of the
10 Metropolitan Water Reclamation District of Greater
11 Chicago (and who does not need to serve on the ~~CMAA~~
12 Board).

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

17 (3) Terms of the members of the Wastewater Committee
18 shall be consistent with those identified in Section 25,
19 except that the term of the member of the Wastewater
20 Committee appointed by the President of the Metropolitan
21 Water Reclamation District of Greater Chicago shall expire
22 on July 1, 2009, and the term of the member of the
23 Wastewater Committee appointed by the President of the
24 largest statewide association of wastewater agencies shall
25 expire on July 1, 2009.

26 (f) With the exception of matters considered and

1 recommended by the Wastewater Committee directly to the IEPA,
2 which shall require only a concurrence of a simple majority of
3 the Wastewater Committee members in office, the following
4 affirmative vote requirements shall apply to actions of the
5 Board:

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

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

12
13 (Source: P.A. 94-510, eff. 8-9-05; 95-677, eff. 10-11-07.)

14 (70 ILCS 1707/25)

15 Sec. 25. Operations.

16 (a) Each appointing authority shall give notice of its
17 Board appointments to each other appointing authority, to the
18 Board, and to the Secretary of State. Within 30 days after his
19 or her appointment and before entering upon the duties of the
20 office, each Board member shall take and subscribe to the
21 constitutional oath of office and file it with the Secretary of
22 State. Board members shall hold office for a term of 4 years or
23 until successors are appointed and qualified; provided,
24 however, that the terms of all members of the Board then in
25 office shall expire one day before the Board Transition Date,

1 and the terms of Board members appointed under subsection (c-5)
2 of Section 15 of this Act shall expire as set forth in
3 subsection (a-5) of this Section. On and after the Board
4 Transition Date, the Board may meet and take action when 12
5 members have been appointed and are qualified to enter upon the
6 duties of the office under this subsection.

7 The terms of the initial Board members shall expire as
8 follows:

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

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

14 (3) As designated at the time of appointment, the terms
15 of 2 members from the City of Chicago shall expire on July
16 1, 2007 and the terms of 3 members from the City of Chicago
17 shall expire on July 1, 2009.

18 (4) The term of the member appointed by the President
19 of the Cook County Board of Commissioners shall expire on
20 July 1, 2007.

21 (5) The terms of those members appointed, with the
22 consent of the President of the Cook County Board of
23 Commissioners, by the mayors representing those
24 communities in Cook County that are outside of the City of
25 Chicago and north of Devon Avenue shall expire on July 1,
26 2007.

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

9 (7) The terms of those members appointed, with the
10 consent of the President of the Cook County Board of
11 Commissioners, by the mayor representing those communities
12 in Cook County that are outside of the City of Chicago,
13 south of Devon Avenue, and north of Interstate 55, and, in
14 addition, the Village of Summit, shall expire on July 1,
15 2009.

16 (8) The terms of those members appointed, with the
17 consent of the President of the Cook County Board of
18 Commissioners, by the mayors representing those
19 communities in Cook County that are outside of the City of
20 Chicago and east of Interstate 57, and, in addition, the
21 communities of Dixmoor, Posen, Robbins, Midlothian, Oak
22 Forest, and Tinley Park, shall expire on July 1, 2009.

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

26 (1) the terms of the members appointed by the Chairmen

1 of the County Boards of DuPage and Kane Counties shall
2 expire on July 1, 2016;

3 (2) the terms of the members appointed by the Chairmen
4 of the County Boards of Lake and McHenry Counties and the
5 member appointed by the County Executive of Will County
6 shall expire on July 1, 2018;

7 (3) as designated at the time of appointment, the terms
8 of 2 members appointed by the Mayor of the City of Chicago
9 shall expire on July 1, 2015 and the terms of 3 members
10 appointed by the Mayor of the City of Chicago shall expire
11 on July 1, 2018;

12 (4) as designated at the time of appointment, the terms
13 of 3 of the members appointed by the President of the Cook
14 County Board shall expire on July 1, 2016 and the terms of
15 2 of the members appointed by the President of the Cook
16 County Board shall expire on July 1, 2018; and

17 (5) as designated at the time of appointment, the terms
18 of 2 of the members appointed by the Governor shall expire
19 on July 1, 2015 and the terms of 1 member appointed by the
20 Governor shall expire on July 1, 2018.

21 (b) If a vacancy occurs, the appropriate appointing
22 authority shall fill the vacancy by an appointment for the
23 unexpired term. Board members shall receive no compensation,
24 but shall be reimbursed for expenses incurred in the
25 performance of their duties.

26 (c) The Board shall be so appointed as to represent the

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

13 (d) Regular meetings of the Board shall be held at least
14 once in each calendar quarter. The time and place of Board
15 meetings shall be fixed by resolution of the Board. Special
16 meetings of the Board may be called by the chairman or a
17 majority of the Board members. A written notice of the time and
18 place of any special meeting shall be provided to all Board
19 members at least 3 days prior to the date fixed for the
20 meeting, except that if the time and place of a special meeting
21 is fixed at a regular meeting at which all Board members are
22 present, no such written notice is required. A majority of the
23 Board members in office constitutes a quorum for the purpose of
24 convening a meeting of the Board.

25 (e) The meetings of the Board shall be held in compliance
26 with the Open Meetings Act. The Board shall maintain records in

1 accordance with the provisions of the State Records Act.

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

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

20 (70 ILCS 1707/25a new)

21 Sec. 25a. Recommended legislation to complete the merger of
22 the Regional Transportation Authority and Chicago Metropolitan
23 Agency for Planning.

24 (a) Within 9 months of the Board Transition Date, the Board
25 shall prepare and recommend for enactment by the General

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

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

18 (ii) ensure that transit services are well
19 coordinated, easy to use, safe, reliable, attractive, well
20 maintained, and efficient;

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

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

25 (v) ensure that methods of raising revenue and
26 allocating funds are based on sound criteria, will reward

1 efficiency and coordinated performance, are fair, and are
2 adequate to meet the northeastern Illinois region's
3 changing needs; and

4 (vi) ensure that transit investments are consistent
5 with the regional comprehensive plan developed under
6 Section 45 of this Act.

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

9 (i) designate the name of the new agency resulting from
10 the merger of the Regional Transportation Authority and
11 CMAP;

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

14 (iii) address the assumption of bonds and other
15 indebtedness of the Regional Transportation Authority and
16 CMAP by the new agency resulting from their merger;

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

19 (v) address the ability of employees to transfer
20 creditable service to the pension system utilized by the
21 new agency;

22 (vi) establish methods for allocating operating
23 subsidies to the Service Boards that will replace those
24 methods in effect as of the effective date of this
25 amendatory Act, further the goals identified in subsection
26 (a) of this Section, and be consistent with the strategic

1 planning requirements contained in Sections 2.01 and 2.01a
2 of the Regional Transportation Authority Act;

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

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

14 (c) Within 12 months of the Board Transition Date, the
15 Board shall, in cooperation with Illinois Department of
16 Transportation, the Illinois Toll Highway Authority, and the
17 Service Boards, develop, adopt, and commence implementation of
18 a plan to double the use of public transit in the northeastern
19 Illinois region by 2040. The Board shall ensure that the plan
20 is cost-effective and financially sound. Upon adoption, the
21 plan must be submitted to the Governor, the Illinois Senate
22 President, the Speaker of the Illinois House of
23 Representatives, the Illinois Senate Minority Leader, and the
24 Illinois House of Representatives Minority Leader.

1 Sec. 25b. Coordination of Service Boards.

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

3 (i) develop and commence implementation of a process
4 through which the Service Boards shall engage in joint
5 procurement and purchasing of insurance, risk management
6 services, energy, fuel, and other services or commodities
7 as the Board may determine are appropriate for joint
8 purchasing for the purpose of obtaining best pricing and
9 overall value; and

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

20 (70 ILCS 1707/30)

21 Sec. 30. Jurisdiction and area of operation. The
22 jurisdiction and area of operation of the Board includes Cook,
23 DuPage, Kane, Kendall, Lake, McHenry, and Will Counties. The
24 Board may enter into agreements with units of local government
25 located outside of, but contiguous to, its jurisdiction and

1 area of operation in order to include those areas in plans for
2 the region. For activities related to the MPO, the jurisdiction
3 of the MPO shall be that area defined by federal requirements.

4 On and after the Board Transition Date, for the exercise of
5 authority under the Regional Transportation Authority Act, the
6 jurisdiction and area of operation of the Board includes only
7 the metropolitan region as defined in Section 1.03 of the
8 Regional Transportation Authority Act.

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

10 (70 ILCS 1707/35)

11 Sec. 35. General powers and authority. In addition to any
12 other rights, powers, duties, or obligations granted to the
13 Board under this Act or specifically granted to the Board under
14 any other law, the Board has all of the following general
15 powers and authority:

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

17 (2) To enter into agreements with units of local
18 government, transportation agencies, State agencies,
19 federal agencies, and persons in order to implement any of
20 the provisions of this Act, including agreements for
21 specialized planning services.

22 (3) To accept and expend, for purposes consistent with
23 the purposes of this Act, funds and moneys from any source,
24 including gifts, bequests, grants, appropriations, loans,
25 or contributions made by any person, unit of local

1 government, the State, or the federal government.

2 (4) To enter into contracts or other transactions with
3 any unit of local government, transportation agency, State
4 agency, public or private organization, or any other source
5 in furtherance of the purpose of this Act, and to take any
6 necessary action in order to avail itself of such aid and
7 cooperation.

8 (5) To purchase, receive, take by grant, gift, devise,
9 or bequest, lease, or otherwise acquire, own, hold,
10 improve, employ, use, and otherwise deal in and with real
11 or personal property, or any interest therein, wherever
12 situated.

13 (6) To adopt, alter, or repeal its own bylaws and any
14 rules that the Board deems necessary in governing the
15 exercise of its authority and the performance of its duties
16 under this Act.

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

19 (8) To adopt an annual operating budget and work
20 program for each fiscal year and make appropriations in
21 accordance with the Illinois Municipal Budget Law and to
22 have the power to expend such budgeted moneys.

23 (9) To exercise any other implied powers that are
24 necessary or convenient for the Board to accomplish its
25 purposes and that are not inconsistent with its expressed
26 powers.

1 (10) To cooperate with any planning agency of a state
2 contiguous to the region in order to integrate and
3 coordinate plans for development of urban areas in that
4 state with the regional comprehensive plan developed under
5 this Act.

6 (11) On and after the Board Transition Date, to serve
7 as the corporate authorities and governing body of the
8 Regional Transportation Authority under the Regional
9 Transportation Authority Act and to assume all powers and
10 duties of the Board of the Regional Transportation
11 Authority, as provided in the Regional Transportation
12 Authority Act.

13 (12) On and after the Board Transition Date, to manage
14 the operations of CMAP and the Regional Transportation
15 Authority until the time when the powers and authorities of
16 those agencies are merged, including without limitation,
17 determining the appropriate designation of all programs
18 and functions under the authority of the Board.

19 (13) On and after the Board Transition Date, to manage
20 the operating and capital plans and expenditures of CMAP
21 and the Regional Transportation Authority in accordance
22 with the continuing evaluation, review, and audit
23 processes provided in Section 2.01(b) of the Regional
24 Transportation Authority Act.

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

1 Section 35. The Regional Transportation Authority Act is
2 amended by changing Sections 1.03, 2.14, 3.01, 3.02, 3.03, and
3 3.04 as follows:

4 (70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)

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

6 "Authority" means the Regional Transportation Authority;

7 "Board" means the Board of Directors of the Regional
8 Transportation Authority;

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

13 "Construct or acquire" means plan, design, construct,
14 reconstruct, improve, modify, extend, landscape, expand or
15 acquire;

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

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

22 "Operate" means operate, maintain, administer, repair,
23 promote and any other acts necessary or proper with regard to
24 such matters;

25 "Public Transportation" means the transportation or

1 conveyance of persons within the metropolitan region by means
2 available to the general public, including groups of the
3 general public with special needs, except for transportation by
4 automobiles not used for conveyance of the general public as
5 passengers;

6 "Public Transportation Facilities" means all equipment or
7 property, real or personal, or rights therein, useful or
8 necessary for providing, maintaining or administering public
9 transportation within the metropolitan region or otherwise
10 useful for carrying out or meeting the purposes or powers of
11 the Authority, except it shall not include roads, streets,
12 highways or bridges or toll highways or toll bridges for
13 general public use; and

14 "Service Boards" means the Board of the Commuter Rail
15 Division of the Authority, the Board of the Suburban Bus
16 Division of the Authority and the Board of the Chicago Transit
17 Authority established pursuant to the "Metropolitan Transit
18 Authority Act", approved April 12, 1945, as now or hereafter
19 amended.

20 "Transportation Agency" means any individual, firm,
21 partnership, corporation, association, body politic, municipal
22 corporation, public authority, unit of local government or
23 other person, other than the Authority and the Service Boards,
24 which provides public transportation, any local mass transit
25 district created pursuant to the "Local Mass Transit District
26 Act", as now or hereafter amended, and any urban transportation

1 district created pursuant to the "Urban Transportation
2 District Act", as now or hereafter amended, which districts are
3 located in whole or in part within the metropolitan region.
4 (Source: P.A. 83-885; 83-886.)

5 (70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)

6 Sec. 2.14. Appointment of Officers and Employees. The
7 Authority may appoint, retain and employ officers, attorneys,
8 agents, engineers and employees. The officers shall include an
9 Executive Director, who shall be the chief executive officer of
10 the Authority. Prior to the Board Transition Date, the
11 Executive Director shall be appointed by the Chairman with the
12 concurrence of 11 of the other then Directors of the Board. On
13 and after the Board Transition Date, the executive director
14 hired under Section 20 of the Regional Planning Act shall also
15 be the Executive Director of the Authority. The Executive
16 Director shall organize the staff of the Authority, shall
17 allocate their functions and duties, shall transfer such staff
18 to the Suburban Bus Division and the Commuter Rail Division as
19 is sufficient to meet their purposes, shall fix compensation
20 and conditions of employment of the staff of the Authority, and
21 consistent with the policies of and direction from the Board,
22 take all actions necessary to achieve its purposes, fulfill its
23 responsibilities and carry out its powers, and shall have such
24 other powers and responsibilities as the Board shall determine.
25 The Executive Director must be an individual of proven

1 transportation and management skills and may not be a member of
2 the Board. The Authority may employ its own professional
3 management personnel to provide professional and technical
4 expertise concerning its purposes and powers and to assist it
5 in assessing the performance of the Service Boards in the
6 metropolitan region.

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

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

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

25 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

1 Sec. 3.01. Board of Directors. Prior to the Board
2 Transition Date, the ~~The~~ corporate authorities and governing
3 body of the Authority shall be a Board consisting of 13
4 Directors until April 1, 2008, and 16 Directors thereafter,
5 appointed as follows:

6 (a) Four Directors appointed by the Mayor of the City of
7 Chicago, with the advice and consent of the City Council of the
8 City of Chicago, and, only until April 1, 2008, a fifth
9 director who shall be the Chairman of the Chicago Transit
10 Authority. After April 1, 2008, the Mayor of the City of
11 Chicago, with the advice and consent of the City Council of the
12 City of Chicago, shall appoint a fifth Director. The Directors
13 appointed by the Mayor of the City of Chicago shall not be the
14 Chairman or a Director of the Chicago Transit Authority. Each
15 such Director shall reside in the City of Chicago.

16 (b) Four Directors appointed by the votes of a majority of
17 the members of the Cook County Board elected from districts, a
18 majority of the electors of which reside outside Chicago. After
19 April 1, 2008, a fifth Director appointed by the President of
20 the Cook County Board with the advice and consent of the
21 members of the Cook County Board. Each Director appointed under
22 this subparagraph shall reside in that part of Cook County
23 outside Chicago.

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

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

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

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

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

19 (ii) One Director appointed by the County Executive of
20 Will County with the advice and consent of the Will County
21 Board. Such Director shall reside in Will County.

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

26 (iv) One Director appointed by the Chairman of the Lake

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

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

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

17 (d-5) On and after the Board Transition Date, the corporate
18 authorities and governing body of the Authority shall be the
19 board appointed under subsection (c-5) of Section 15 of the
20 Regional Planning Act. All references in this Act on or after
21 the Board Transition Date to the Board shall mean the board
22 appointed under subsection (c-5) of Section 15 of the Regional
23 Planning Act. All references in this Act on or after the Board
24 Transition Date to the Directors of the Authority shall mean
25 the voting members of the board appointed under subsection
26 (c-5) of Section 15 of the Regional Planning Act.

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

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

1 under subsection (f) of Section 25 of the Regional Planning
2 Act.

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

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

16 (h) (Blank).

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

18 (70 ILCS 3615/3.02) (from Ch. 111 2/3, par. 703.02)

19 Sec. 3.02. Chairman and Other Officers. The Chairman shall
20 preside at meetings of the Board, and shall be entitled to vote
21 on all matters. The Board shall select a Secretary and a
22 Treasurer and may select persons to fill such other offices of
23 the Authority and to perform such duties as it shall from time
24 to time determine. The Secretary, Treasurer and other officers
25 of the Authority may, but need not be, members of the Board.

1 This Section 3.02 is repealed on the Board Transition Date.

2 (Source: P.A. 83-886.)

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

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

20 Whenever a vacancy for a Director, except as to the
21 Chairman or those Directors appointed by the Mayor of the City
22 of Chicago, exists for longer than 4 months, the new Director
23 shall be chosen by election by all legislative members in the
24 General Assembly representing the affected area. In order to
25 qualify as a voting legislative member in this matter, the

1 affected area must be more than 50% of the geographic area of
2 the legislative district.

3 This Section 3.03 is repealed as of the Board Transition
4 Date.

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

6 (70 ILCS 3615/3.04) (from Ch. 111 2/3, par. 703.04)

7 Sec. 3.04. Compensation. Each Director including the
8 Chairman, except for the Chairman of the Chicago Transit
9 Authority who shall not be compensated by the Authority, shall
10 be compensated at the rate of \$25,000 per year.

11 Officers of the Authority shall not be required to comply
12 with the requirements of "An Act requiring certain custodians
13 of public moneys to file and publish statements of the receipts
14 and disbursements thereof", approved June 24, 1919, as now or
15 hereafter amended.

16 This Section 3.04 is repealed as of the Board Transition
17 Date.

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

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.

1 INDEX
2 Statutes amended in order of appearance

3 New Act

4 70 ILCS 1707/10

5 70 ILCS 1707/15

6 70 ILCS 1707/25

7 70 ILCS 1707/25a new

8 70 ILCS 1707/25b new

9 70 ILCS 1707/30

10 70 ILCS 1707/35

11 70 ILCS 3615/1.03 from Ch. 111 2/3, par. 701.03

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

13 70 ILCS 3615/3.01 from Ch. 111 2/3, par. 703.01

14 70 ILCS 3615/3.02 from Ch. 111 2/3, par. 703.02

15 70 ILCS 3615/3.03 from Ch. 111 2/3, par. 703.03

16 70 ILCS 3615/3.04 from Ch. 111 2/3, par. 703.04