



Rep. Suzanne Bassi

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09500HB1134ham004

LRB095 10897 JAM 36753 a

1 AMENDMENT TO HOUSE BILL 1134

2 AMENDMENT NO. _____. Amend House Bill 1134 by replacing
3 everything after the enacting clause with the following:

4 "Section 3. The State Finance Act is amended by adding
5 Sections 5.675 and 6z-69 as follows:

6 (30 ILCS 105/5.675 new)

7 Sec. 5.675. Comprehensive Regional Planning Fund.

8 (30 ILCS 105/6z-69 new)

9 Sec. 6z-69. Comprehensive Regional Planning Fund.

10 (a) As soon as possible after July 1, 2007, and on each
11 July 1 thereafter, the State Treasurer shall transfer
12 \$5,000,000 from the General Revenue Fund to the Comprehensive
13 Regional Planning Fund.

14 (b) Subject to appropriation, the Illinois Department of
15 Transportation shall make lump sum distributions from the

1 Comprehensive Regional Planning Fund as soon as possible after
2 each July 1 to the recipients and in the amounts specified in
3 subsection (c). The recipients must use the moneys for
4 comprehensive regional planning purposes.

5 (c) Each year's distribution under subsection (b) shall be
6 as follows: (i) 70% to the Chicago Metropolitan Agency for
7 Planning (CMAP); (ii) 25% to the State's other Metropolitan
8 Planning Organizations (exclusive of CMAP), each Organization
9 receiving a percentage equal to the percent its area population
10 represents to the total population of the areas of all the
11 State's Metropolitan Planning Organizations (exclusive of
12 CMAP); and (iii) 5% to the State's Rural Planning Agencies,
13 each Agency receiving a percentage equal to the percent its
14 area population represents to the total population of the areas
15 of all the State's Rural Planning Agencies.

16 Section 5. The Illinois Pension Code is amended by changing
17 Sections 7-132 and 14-103.05 and by adding Sections 7-139.12
18 and 14-104.13 as follows:

19 (40 ILCS 5/7-132) (from Ch. 108 1/2, par. 7-132)

20 Sec. 7-132. Municipalities, instrumentalities and
21 participating instrumentalities included and effective dates.

22 (A) Municipalities and their instrumentalities.

23 (a) The following described municipalities, but not

1 including any with more than 1,000,000 inhabitants, and the
2 instrumentalities thereof, shall be included within and be
3 subject to this Article beginning upon the effective dates
4 specified by the Board:

5 (1) Except as to the municipalities and
6 instrumentalities thereof specifically excluded under this
7 Article, every county shall be subject to this Article, and
8 all cities, villages and incorporated towns having a
9 population in excess of 5,000 inhabitants as determined by
10 the last preceding decennial or subsequent federal census,
11 shall be subject to this Article following publication of
12 the census by the Bureau of the Census. Within 90 days
13 after publication of the census, the Board shall notify any
14 municipality that has become subject to this Article as a
15 result of that census, and shall provide information to the
16 corporate authorities of the municipality explaining the
17 duties and consequences of participation. The notification
18 shall also include a proposed date upon which participation
19 by the municipality will commence.

20 However, for any city, village or incorporated town
21 that attains a population over 5,000 inhabitants after
22 having provided social security coverage for its employees
23 under the Social Security Enabling Act, participation
24 under this Article shall not be mandatory but may be
25 elected in accordance with subparagraph (3) or (4) of this
26 paragraph (a), whichever is applicable.

1 (2) School districts, other than those specifically
2 excluded under this Article, shall be subject to this
3 Article, without election, with respect to all employees
4 thereof.

5 (3) Towns and all other bodies politic and corporate
6 which are formed by vote of, or are subject to control by,
7 the electors in towns and are located in towns which are
8 not participating municipalities on the effective date of
9 this Act, may become subject to this Article by election
10 pursuant to Section 7-132.1.

11 (4) Any other municipality (together with its
12 instrumentalities), other than those specifically excluded
13 from participation and those described in paragraph (3)
14 above, may elect to be included either by referendum under
15 Section 7-134 or by the adoption of a resolution or
16 ordinance by its governing body. A copy of such resolution
17 or ordinance duly authenticated and certified by the clerk
18 of the municipality or other appropriate official of its
19 governing body shall constitute the required notice to the
20 board of such action.

21 (b) A municipality that is about to begin participation
22 shall submit to the Board an application to participate, in a
23 form acceptable to the Board, not later than 90 days prior to
24 the proposed effective date of participation. The Board shall
25 act upon the application within 90 days, and if it finds that
26 the application is in conformity with its requirements and the

1 requirements of this Article, participation by the applicant
2 shall commence on a date acceptable to the municipality and
3 specified by the Board, but in no event more than one year from
4 the date of application.

5 (c) A participating municipality which succeeds to the
6 functions of a participating municipality which is dissolved or
7 terminates its existence shall assume and be transferred the
8 net accumulation balance in the municipality reserve and the
9 municipality account receivable balance of the terminated
10 municipality.

11 (d) In the case of a Veterans Assistance Commission whose
12 employees were being treated by the Fund on January 1, 1990 as
13 employees of the county served by the Commission, the Fund may
14 continue to treat the employees of the Veterans Assistance
15 Commission as county employees for the purposes of this
16 Article, unless the Commission becomes a participating
17 instrumentality in accordance with subsection (B) of this
18 Section.

19 (B) Participating instrumentalities.

20 (a) The participating instrumentalities designated in
21 paragraph (b) of this subsection shall be included within and
22 be subject to this Article if:

23 (1) an application to participate, in a form acceptable
24 to the Board and adopted by a two-thirds vote of the
25 governing body, is presented to the Board not later than 90

1 days prior to the proposed effective date; and

2 (2) the Board finds that the application is in
3 conformity with its requirements, that the applicant has
4 reasonable expectation to continue as a political entity
5 for a period of at least 10 years and has the prospective
6 financial capacity to meet its current and future
7 obligations to the Fund, and that the actuarial soundness
8 of the Fund may be reasonably expected to be unimpaired by
9 approval of participation by the applicant.

10 The Board shall notify the applicant of its findings within
11 90 days after receiving the application, and if the Board
12 approves the application, participation by the applicant shall
13 commence on the effective date specified by the Board.

14 (b) The following participating instrumentalities, so long
15 as they meet the requirements of Section 7-108 and the area
16 served by them or within their jurisdiction is not located
17 entirely within a municipality having more than one million
18 inhabitants, may be included hereunder:

19 i. Township School District Trustees.

20 ii. Multiple County and Consolidated Health
21 Departments created under Division 5-25 of the Counties
22 Code or its predecessor law.

23 iii. Public Building Commissions created under the
24 Public Building Commission Act, and located in counties of
25 less than 1,000,000 inhabitants.

26 iv. A multitype, consolidated or cooperative library

1 system created under the Illinois Library System Act. Any
2 library system created under the Illinois Library System
3 Act that has one or more predecessors that participated in
4 the Fund may participate in the Fund upon application. The
5 Board shall establish procedures for implementing the
6 transfer of rights and obligations from the predecessor
7 system to the successor system.

8 v. Regional Planning Commissions created under
9 Division 5-14 of the Counties Code or its predecessor law.

10 vi. Local Public Housing Authorities created under the
11 Housing Authorities Act, located in counties of less than
12 1,000,000 inhabitants.

13 vii. Illinois Municipal League.

14 viii. Northeastern Illinois Metropolitan Area Planning
15 Commission.

16 ix. Southwestern Illinois Metropolitan Area Planning
17 Commission.

18 x. Illinois Association of Park Districts.

19 xi. Illinois Supervisors, County Commissioners and
20 Superintendents of Highways Association.

21 xii. Tri-City Regional Port District.

22 xiii. An association, or not-for-profit corporation,
23 membership in which is authorized under Section 85-15 of
24 the Township Code.

25 xiv. Drainage Districts operating under the Illinois
26 Drainage Code.

1 xv. Local mass transit districts created under the
2 Local Mass Transit District Act.

3 xvi. Soil and water conservation districts created
4 under the Soil and Water Conservation Districts Law.

5 xvii. Commissions created to provide water supply or
6 sewer services or both under Division 135 or Division 136
7 of Article 11 of the Illinois Municipal Code.

8 xviii. Public water districts created under the Public
9 Water District Act.

10 xix. Veterans Assistance Commissions established under
11 Section 9 of the Military Veterans Assistance Act that
12 serve counties with a population of less than 1,000,000.

13 xx. The governing body of an entity, other than a
14 vocational education cooperative, created under an
15 intergovernmental cooperative agreement established
16 between participating municipalities under the
17 Intergovernmental Cooperation Act, which by the terms of
18 the agreement is the employer of the persons performing
19 services under the agreement under the usual common law
20 rules determining the employer-employee relationship. The
21 governing body of such an intergovernmental cooperative
22 entity established prior to July 1, 1988 may make
23 participation retroactive to the effective date of the
24 agreement and, if so, the effective date of participation
25 shall be the date the required application is filed with
26 the fund. If any such entity is unable to pay the required

1 employer contributions to the fund, then the participating
2 municipalities shall make payment of the required
3 contributions and the payments shall be allocated as
4 provided in the agreement or, if not so provided, equally
5 among them.

6 xxi. The Illinois Municipal Electric Agency.

7 xxii. The Waukegan Port District.

8 xxiii. The Fox Waterway Agency created under the Fox
9 Waterway Agency Act.

10 xxiv. The Illinois Municipal Gas Agency.

11 xxv. The Kaskaskia Regional Port District.

12 xxvi. The Southwestern Illinois Development Authority.

13 xxvii. The Cairo Public Utility Company.

14 xxviii. Except with respect to employees who elect to
15 participate in the State Employees' Retirement System of
16 Illinois under Section 14-104.13 of this Code, the Chicago
17 Metropolitan Agency for Planning created under the
18 Regional Planning Act, provided that, with respect to the
19 benefits payable pursuant to Sections 7-146, 7-150, and
20 7-164 and the requirement that eligibility for such
21 benefits is conditional upon satisfying a minimum period of
22 service or a minimum contribution, any employee of the
23 Chicago Metropolitan Agency for Planning that was
24 immediately prior to such employment an employee of the
25 Chicago Area Transportation Study or the Northeastern
26 Illinois Planning Commission, such employee's service at

1 the Chicago Area Transportation Study or the Northeastern
2 Illinois Planning Commission and contributions to the
3 State Employees' Retirement System of Illinois established
4 under Article 14 and the Illinois Municipal Retirement Fund
5 shall count towards the satisfaction of such requirements.

6 (c) The governing boards of special education joint
7 agreements created under Section 10-22.31 of the School Code
8 without designation of an administrative district shall be
9 included within and be subject to this Article as participating
10 instrumentalities when the joint agreement becomes effective.
11 However, the governing board of any such special education
12 joint agreement in effect before September 5, 1975 shall not be
13 subject to this Article unless the joint agreement is modified
14 by the school districts to provide that the governing board is
15 subject to this Article, except as otherwise provided by this
16 Section.

17 The governing board of the Special Education District of
18 Lake County shall become subject to this Article as a
19 participating instrumentality on July 1, 1997. Notwithstanding
20 subdivision (a)1 of Section 7-139, on the effective date of
21 participation, employees of the governing board of the Special
22 Education District of Lake County shall receive creditable
23 service for their prior service with that employer, up to a
24 maximum of 5 years, without any employee contribution.
25 Employees may establish creditable service for the remainder of
26 their prior service with that employer, if any, by applying in

1 writing and paying an employee contribution in an amount
2 determined by the Fund, based on the employee contribution
3 rates in effect at the time of application for the creditable
4 service and the employee's salary rate on the effective date of
5 participation for that employer, plus interest at the effective
6 rate from the date of the prior service to the date of payment.
7 Application for this creditable service must be made before
8 July 1, 1998; the payment may be made at any time while the
9 employee is still in service. The employer may elect to make
10 the required contribution on behalf of the employee.

11 The governing board of a special education joint agreement
12 created under Section 10-22.31 of the School Code for which an
13 administrative district has been designated, if there are
14 employees of the cooperative educational entity who are not
15 employees of the administrative district, may elect to
16 participate in the Fund and be included within this Article as
17 a participating instrumentality, subject to such application
18 procedures and rules as the Board may prescribe.

19 The Boards of Control of cooperative or joint educational
20 programs or projects created and administered under Section
21 3-15.14 of the School Code, whether or not the Boards act as
22 their own administrative district, shall be included within and
23 be subject to this Article as participating instrumentalities
24 when the agreement establishing the cooperative or joint
25 educational program or project becomes effective.

26 The governing board of a special education joint agreement

1 entered into after June 30, 1984 and prior to September 17,
2 1985 which provides for representation on the governing board
3 by less than all the participating districts shall be included
4 within and subject to this Article as a participating
5 instrumentality. Such participation shall be effective as of
6 the date the joint agreement becomes effective.

7 The governing boards of educational service centers
8 established under Section 2-3.62 of the School Code shall be
9 included within and subject to this Article as participating
10 instrumentalities. The governing boards of vocational
11 education cooperative agreements created under the
12 Intergovernmental Cooperation Act and approved by the State
13 Board of Education shall be included within and be subject to
14 this Article as participating instrumentalities. If any such
15 governing boards or boards of control are unable to pay the
16 required employer contributions to the fund, then the school
17 districts served by such boards shall make payment of required
18 contributions as provided in Section 7-172. The payments shall
19 be allocated among the several school districts in proportion
20 to the number of students in average daily attendance for the
21 last full school year for each district in relation to the
22 total number of students in average attendance for such period
23 for all districts served. If such educational service centers,
24 vocational education cooperatives or cooperative or joint
25 educational programs or projects created and administered
26 under Section 3-15.14 of the School Code are dissolved, the

1 assets and obligations shall be distributed among the districts
2 in the same proportions unless otherwise provided.

3 (d) The governing boards of special recreation joint
4 agreements created under Section 8-10b of the Park District
5 Code, operating without designation of an administrative
6 district or an administrative municipality appointed to
7 administer the program operating under the authority of such
8 joint agreement shall be included within and be subject to this
9 Article as participating instrumentalities when the joint
10 agreement becomes effective. However, the governing board of
11 any such special recreation joint agreement in effect before
12 January 1, 1980 shall not be subject to this Article unless the
13 joint agreement is modified, by the districts and
14 municipalities which are parties to the agreement, to provide
15 that the governing board is subject to this Article.

16 If the Board returns any employer and employee
17 contributions to any employer which erroneously submitted such
18 contributions on behalf of a special recreation joint
19 agreement, the Board shall include interest computed from the
20 end of each year to the date of payment, not compounded, at the
21 rate of 7% per annum.

22 (e) Each multi-township assessment district, the board of
23 trustees of which has adopted this Article by ordinance prior
24 to April 1, 1982, shall be a participating instrumentality
25 included within and subject to this Article effective December
26 1, 1981. The contributions required under Section 7-172 shall

1 be included in the budget prepared under and allocated in
2 accordance with Section 2-30 of the Property Tax Code.

3 (f) The Illinois Medical District Commission created under
4 the Illinois Medical District Act may be included within and
5 subject to this Article as a participating instrumentality,
6 notwithstanding that the location of the District is entirely
7 within the City of Chicago. To become a participating
8 instrumentality, the Commission must apply to the Board in the
9 manner set forth in paragraph (a) of this subsection (B). If
10 the Board approves the application, under the criteria and
11 procedures set forth in paragraph (a) and any other applicable
12 rules, criteria, and procedures of the Board, participation by
13 the Commission shall commence on the effective date specified
14 by the Board.

15 (C) Prospective participants.

16 Beginning January 1, 1992, each prospective participating
17 municipality or participating instrumentality shall pay to the
18 Fund the cost, as determined by the Board, of a study prepared
19 by the Fund or its actuary, detailing the prospective costs of
20 participation in the Fund to be expected by the municipality or
21 instrumentality.

22 (Source: P.A. 93-777, eff. 7-21-04; 94-1046, eff. 7-24-06.)

23 (40 ILCS 5/7-139.12 new)

24 Sec. 7-139.12. Transfer of creditable service to Article

1 14. A person employed by the Chicago Metropolitan Agency for
2 Planning (formerly the Regional Planning Board) on the
3 effective date of this Section who was a member of the State
4 Employees' Retirement System of Illinois as an employee of the
5 Chicago Area Transportation Study may apply for transfer of his
6 or her creditable service as an employee of the Chicago
7 Metropolitan Agency for Planning upon payment of (1) the
8 amounts accumulated to the credit of the applicant for such
9 service on the books of the Fund on the date of transfer and
10 (2) the corresponding municipality credits, including
11 interest, on the books of the Fund on the date of transfer.
12 Participation in this Fund with respect to the transferred
13 credits shall terminate on the date of transfer.

14 (40 ILCS 5/14-103.05) (from Ch. 108 1/2, par. 14-103.05)

15 Sec. 14-103.05. Employee.

16 (a) Any person employed by a Department who receives salary
17 for personal services rendered to the Department on a warrant
18 issued pursuant to a payroll voucher certified by a Department
19 and drawn by the State Comptroller upon the State Treasurer,
20 including an elected official described in subparagraph (d) of
21 Section 14-104, shall become an employee for purpose of
22 membership in the Retirement System on the first day of such
23 employment.

24 A person entering service on or after January 1, 1972 and
25 prior to January 1, 1984 shall become a member as a condition

1 of employment and shall begin making contributions as of the
2 first day of employment.

3 A person entering service on or after January 1, 1984
4 shall, upon completion of 6 months of continuous service which
5 is not interrupted by a break of more than 2 months, become a
6 member as a condition of employment. Contributions shall begin
7 the first of the month after completion of the qualifying
8 period.

9 A person employed by the Chicago Metropolitan Agency for
10 Planning on the effective date of this amendatory Act of the
11 95th General Assembly who was a member of this System as an
12 employee of the Chicago Area Transportation Study and makes an
13 election under Section 14-104.13 to participate in this System
14 for his or her employment with the Chicago Metropolitan Agency
15 for Planning.

16 The qualifying period of 6 months of service is not
17 applicable to: (1) a person who has been granted credit for
18 service in a position covered by the State Universities
19 Retirement System, the Teachers' Retirement System of the State
20 of Illinois, the General Assembly Retirement System, or the
21 Judges Retirement System of Illinois unless that service has
22 been forfeited under the laws of those systems; (2) a person
23 entering service on or after July 1, 1991 in a noncovered
24 position; or (3) a person to whom Section 14-108.2a or
25 14-108.2b applies.

26 (b) The term "employee" does not include the following:

1 (1) members of the State Legislature, and persons
2 electing to become members of the General Assembly
3 Retirement System pursuant to Section 2-105;

4 (2) incumbents of offices normally filled by vote of
5 the people;

6 (3) except as otherwise provided in this Section, any
7 person appointed by the Governor with the advice and
8 consent of the Senate unless that person elects to
9 participate in this system;

10 (3.1) any person serving as a commissioner of an ethics
11 commission created under the State Officials and Employees
12 Ethics Act unless that person elects to participate in this
13 system with respect to that service as a commissioner;

14 (3.2) any person serving as a part-time employee in any
15 of the following positions: Legislative Inspector General,
16 Special Legislative Inspector General, employee of the
17 Office of the Legislative Inspector General, Executive
18 Director of the Legislative Ethics Commission, or staff of
19 the Legislative Ethics Commission, regardless of whether
20 he or she is in active service on or after July 8, 2004
21 (the effective date of Public Act 93-685), unless that
22 person elects to participate in this System with respect to
23 that service; in this item (3.2), a "part-time employee" is
24 a person who is not required to work at least 35 hours per
25 week;

26 (3.3) any person who has made an election under Section

1 1-123 and who is serving either as legal counsel in the
2 Office of the Governor or as Chief Deputy Attorney General;

3 (4) except as provided in Section 14-108.2 or
4 14-108.2c, any person who is covered or eligible to be
5 covered by the Teachers' Retirement System of the State of
6 Illinois, the State Universities Retirement System, or the
7 Judges Retirement System of Illinois;

8 (5) an employee of a municipality or any other
9 political subdivision of the State;

10 (6) any person who becomes an employee after June 30,
11 1979 as a public service employment program participant
12 under the Federal Comprehensive Employment and Training
13 Act and whose wages or fringe benefits are paid in whole or
14 in part by funds provided under such Act;

15 (7) enrollees of the Illinois Young Adult Conservation
16 Corps program, administered by the Department of Natural
17 Resources, authorized grantee pursuant to Title VIII of the
18 "Comprehensive Employment and Training Act of 1973", 29 USC
19 993, as now or hereafter amended;

20 (8) enrollees and temporary staff of programs
21 administered by the Department of Natural Resources under
22 the Youth Conservation Corps Act of 1970;

23 (9) any person who is a member of any professional
24 licensing or disciplinary board created under an Act
25 administered by the Department of Professional Regulation
26 or a successor agency or created or re-created after the

1 effective date of this amendatory Act of 1997, and who
2 receives per diem compensation rather than a salary,
3 notwithstanding that such per diem compensation is paid by
4 warrant issued pursuant to a payroll voucher; such persons
5 have never been included in the membership of this System,
6 and this amendatory Act of 1987 (P.A. 84-1472) is not
7 intended to effect any change in the status of such
8 persons;

9 (10) any person who is a member of the Illinois Health
10 Care Cost Containment Council, and receives per diem
11 compensation rather than a salary, notwithstanding that
12 such per diem compensation is paid by warrant issued
13 pursuant to a payroll voucher; such persons have never been
14 included in the membership of this System, and this
15 amendatory Act of 1987 is not intended to effect any change
16 in the status of such persons;

17 (11) any person who is a member of the Oil and Gas
18 Board created by Section 1.2 of the Illinois Oil and Gas
19 Act, and receives per diem compensation rather than a
20 salary, notwithstanding that such per diem compensation is
21 paid by warrant issued pursuant to a payroll voucher; or

22 (12) a person employed by the State Board of Higher
23 Education in a position with the Illinois Century Network
24 as of June 30, 2004, who remains continuously employed
25 after that date by the Department of Central Management
26 Services in a position with the Illinois Century Network

1 and participates in the Article 15 system with respect to
2 that employment.

3 (c) An individual who represents or is employed as an
4 officer or employee of a statewide labor organization that
5 represents members of this System may participate in the System
6 and shall be deemed an employee, provided that (1) the
7 individual has previously earned creditable service under this
8 Article, (2) the individual files with the System an
9 irrevocable election to become a participant within 6 months
10 after the effective date of this amendatory Act of the 94th
11 General Assembly, and (3) the individual does not receive
12 credit for that employment under any other provisions of this
13 Code. An employee under this subsection (c) is responsible for
14 paying to the System both (i) employee contributions based on
15 the actual compensation received for service with the labor
16 organization and (ii) employer contributions based on the
17 percentage of payroll certified by the board; all or any part
18 of these contributions may be paid on the employee's behalf or
19 picked up for tax purposes (if authorized under federal law) by
20 the labor organization.

21 A person who is an employee as defined in this subsection
22 (c) may establish service credit for similar employment prior
23 to becoming an employee under this subsection by paying to the
24 System for that employment the contributions specified in this
25 subsection, plus interest at the effective rate from the date
26 of service to the date of payment. However, credit shall not be

1 granted under this subsection (c) for any such prior employment
2 for which the applicant received credit under any other
3 provision of this Code or during which the applicant was on a
4 leave of absence.

5 (Source: P.A. 93-685, eff. 7-8-04; 93-839, eff. 7-30-04;
6 93-1069, eff. 1-15-05; 94-1111, eff. 2-27-07.)

7 (40 ILCS 5/14-104.13 new)

8 Sec. 14-104.13. Chicago Metropolitan Agency for Planning;
9 employee election.

10 (a) Within one year after the effective date of this
11 Section, a person employed by the Chicago Metropolitan Agency
12 for Planning (formerly the Regional Planning Board) on the
13 effective date of this Section who was a member of this System
14 as an employee of the Chicago Area Transportation Study may
15 elect to participate in this System for his or her employment
16 with the Chicago Metropolitan Agency for Planning.

17 (b) An employee who elects to participate in the System
18 pursuant to subsection (a) may elect to transfer any creditable
19 service earned by the employee under the Illinois Municipal
20 Retirement Fund for his or her employment with the Chicago
21 Metropolitan Agency for Planning (formerly the Regional
22 Planning Board) upon payment to this System of the amount by
23 which (1) the employer and employee contributions that would
24 have been required if the employee had participated in this
25 System during the period for which the credit under Section

1 7-139.12 is being transferred, plus interest thereon from the
2 date of such participation to the date of payment, exceeds (2)
3 the amounts actually transferred under Section 7-139.12 to this
4 System.

5 Section 10. The Regional Planning Act is amended by
6 changing Sections 5, 10, 15, 20, 25, 45, 55, 60, and 65 and by
7 adding Sections 44, 47, 48, 51, 55, 61, 62, 63, and 65 as
8 follows:

9 (70 ILCS 1707/5)

10 Sec. 5. Purpose. The General Assembly declares and
11 determines that a streamlined, consolidated regional planning
12 agency is necessary in order to plan for the most effective
13 public and private investments in the northeastern Illinois
14 region and to better integrate plans for land use and
15 transportation. The purpose of this Act is to define and
16 describe the powers and responsibilities of the Chicago
17 Metropolitan Agency for Planning, a unit of government whose
18 purpose it is to effectively address the development and
19 transportation challenges in the northeastern Illinois region.
20 ~~It is the intent of the General Assembly to consolidate,~~
21 ~~through an orderly transition, the functions of the~~
22 ~~Northeastern Illinois Planning Commission (NIPC) and the~~
23 ~~Chicago Area Transportation Study (CATS) in order to address~~
24 ~~the development and transportation challenges in the~~

1 ~~northeastern Illinois region.~~

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

3 (70 ILCS 1707/10)

4 Sec. 10. Definitions.

5 "Board" means the ~~Regional Planning~~ Board of the Chicago
6 Metropolitan Agency for Planning.

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

8 ~~"CATS" means the Chicago Area Transportation Study.~~

9 ~~"CATS Policy Committee" means the policy board of the~~
10 ~~Chicago Area Transportation Study.~~

11 "Chief elected county official" means the Board Chairman in
12 DuPage, Kane, Kendall, Lake, and McHenry Counties and the
13 County Executive in Will County.

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

15 "IDOT" means the Illinois Department of Transportation.

16 "MPO" means the metropolitan planning organization
17 designated under 23 U.S.C. 134.

18 "Members" means the members of the ~~Regional Planning~~ Board.

19 ~~"NIPC" means the Northeastern Illinois Planning~~
20 ~~Commission.~~

21 "Person" means an individual, partnership, firm, public or
22 private corporation, State agency, transportation agency, or
23 unit of local government.

24 "Policy Committee" means the decision-making body of the
25 MPO.

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

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

5 ~~"Transition period" means the period of time the Regional~~
6 ~~Planning Board takes to fully implement the funding and~~
7 ~~implementation strategy described under subsection (a) of~~
8 ~~Section 15.~~

9 "Transportation agency" means the Regional Transportation
10 Authority and its Service Boards; the Illinois Toll Highway
11 Authority; the Illinois Department of Transportation; and the
12 transportation functions of units of local government.

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

17 "USDOT" means the United States Department of
18 Transportation.

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

20 (70 ILCS 1707/15)

21 Sec. 15. Chicago Metropolitan Agency for Planning;
22 structure ~~Regional Planning Board; powers.~~

23 (a) The Chicago Metropolitan Agency for Planning ~~Regional~~
24 ~~Planning Board~~ is established as a political subdivision, body
25 politic, and municipal corporation. The Board shall be

1 responsible for developing and adopting a funding and
2 implementation strategy for an integrated land use and
3 transportation planning process for the northeastern Illinois
4 region. ~~The strategy shall include a process for the orderly
5 transition of the CATS Policy Committee to be a standing
6 transportation planning body of the Board and NIPC to be a
7 standing comprehensive planning body of the Board. The CATS
8 Policy Committee and NIPC shall continue to exist and perform
9 their duties throughout the transition period. The strategy
10 must also include recommendations for legislation for
11 transition, which must contain a complete description of
12 recommended comprehensive planning functions of the Board and
13 an associated funding strategy and recommendations related to
14 consolidating the functions of the Board, the CATS Policy
15 Committee, and NIPC. The Board shall submit its strategy to the
16 General Assembly no later than September 1, 2006.~~

17 (b) (Blank.) ~~The Regional Planning Board shall, in addition
18 to those powers enumerated elsewhere in this Act:~~

19 ~~(1) Provide a policy framework under which all regional
20 plans are developed.~~

21 ~~(2) Coordinate regional transportation and land use
22 planning.~~

23 ~~(3) Identify and promote regional priorities.~~

24 ~~(4) Serve as a single point of contact and direct all
25 public involvement activities.~~

26 ~~(5) Create a Citizens' Advisory Committee.~~

1 (c) The Board shall consist of 15 voting members as
2 follows:

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

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

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

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

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

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

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

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

1 as follows:

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

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

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

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

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

22 (d) The CMAP Board may ~~CATS Policy Committee~~ and ~~NIPC~~ shall
23 ~~each~~ appoint ~~one of their members to serve as a~~ non-voting
24 ~~members~~ ~~member~~ of the ~~Regional Planning~~ Board.

25 (e) (1) The CMAP Board shall create a Wastewater Committee
26 with the responsibility of recommending directly to the

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

16 (2) The Wastewater Committee shall consist of 5 members
17 of the CMAP Board designated as follows:

18 (i) One member of the Wastewater Committee shall be
19 one of the CMAP Board members designated in subsection
20 (c)(1) through (c)(5).

21 (ii) One member of the Wastewater Committee shall
22 be one of the CMAP Board members designated in
23 subsection (c)(6).

24 (iii) One member of the Wastewater Committee shall
25 be one of the CMAP Board members designated in
26 subsection (c)(7) or (c)(8).

1 (iv) One member of the Wastewater Committee shall
2 be a person appointed by the President of the
3 Metropolitan Water Reclamation District of Greater
4 Chicago (and who does not need to serve on the CMAP
5 Board).

6 (v) One member of the Wastewater Committee shall be
7 a person appointed by the President of the largest
8 statewide association of wastewater agencies (and who
9 does not need to serve on the CMAP Board).

10 (3) Terms of the members of the Wastewater Committee
11 shall be consistent with those identified in Section 25,
12 except that the term of the member of the Wastewater
13 Committee appointed by the President of the Metropolitan
14 Water Reclamation District of Greater Chicago shall expire
15 on July 1, 2009, and the term of the member of the
16 Wastewater Committee appointed by the President of the
17 largest statewide association of wastewater agencies shall
18 expire on July 1, 2009.

19 (f) With the exception of matters considered and
20 recommended by the Wastewater Committee directly to the IEPA,
21 which shall require only a concurrence of a simple majority of
22 the Wastewater Committee members in office, concurrence
23 ~~Concurrence~~ of four-fifths of the Board members in office is
24 necessary for the Board to take any action, including remanding
25 ~~regional plans with comments to the CATS Policy Committee and~~
26 NIPG.

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

2 (70 ILCS 1707/20)

3 Sec. 20. Duties. In addition to those duties enumerated
4 elsewhere in this Act, the ~~Regional Planning~~ Board shall:

5 (a) ~~(1)~~ Hire an executive director to act as the chief
6 administrative officer and to direct and coordinate all
7 staff work.

8 (b) Provide a policy framework under which all regional
9 plans are developed.

10 (c) Coordinate regional transportation and land use
11 planning.

12 (d) Identify and promote regional priorities. ~~to~~
13 ~~coordinate staff work of CATS and NIPC. The executive~~
14 ~~director shall hire a deputy for comprehensive planning and~~
15 ~~a deputy for transportation planning with the approval of~~
16 ~~NIPC and the CATS Policy Committee, respectively.~~

17 ~~(2) Merge the staffs of CATS and NIPC into a single~~
18 ~~staff over a transition period that protects current~~
19 ~~employees' benefits.~~

20 ~~(3) Secure agreements with funding agencies to provide~~
21 ~~support for Board operations.~~

22 ~~(4) Develop methods to handle operational and~~
23 ~~administrative matters relating to the transition,~~
24 ~~including labor and employment matters, pension benefits,~~
25 ~~equipment and technology, leases and contracts, office~~

1 ~~space, and excess property.~~

2 ~~(5) Notwithstanding any other provision of law to the~~
3 ~~contrary, within 180 days after this Act becomes law,~~
4 ~~locate the staffs of CATS and NIPC within the same office.~~

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

6 (70 ILCS 1707/25)

7 Sec. 25. Operations.

8 (a) Each appointing authority shall give notice of its
9 Board appointments to each other appointing authority, to the
10 Board, and to the Secretary of State. Within 30 days after his
11 or her appointment and before entering upon the duties of the
12 office, each Board member shall take and subscribe to the
13 constitutional oath of office and file it with the Secretary of
14 State. Board members shall hold office for a term of 4 years or
15 until successors are appointed and qualified. The terms of the
16 initial Board members shall expire as follows:

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

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

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

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

4 (5) The terms of those members appointed, with the
5 consent of the President of the Cook County Board of
6 Commissioners, by the mayors representing those
7 communities in Cook County that are outside of the City of
8 Chicago and north of Devon Avenue shall expire on July 1,
9 2007.

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

18 (7) The terms of those members appointed, with the
19 consent of the President of the Cook County Board of
20 Commissioners, by the mayor representing those communities
21 in Cook County that are outside of the City of Chicago,
22 south of Devon Avenue, and north of Interstate 55, and, in
23 addition, the Village of Summit, shall expire on July 1,
24 2009.

25 (8) The terms of those members appointed, with the
26 consent of the President of the Cook County Board of

1 Commissioners, by the mayors representing those
2 communities in Cook County that are outside of the City of
3 Chicago and east of Interstate 57, and, in addition, the
4 communities of Dixmoor, Posen, Robbins, Midlothian, Oak
5 Forest, and Tinley Park, shall expire on July 1, 2009.

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

11 (c) The Board shall be so appointed as to represent the
12 City of Chicago, that part of Cook County outside the City of
13 Chicago, and that part of the metropolitan region outside of
14 Cook County on a one man one vote basis. Within 6 months after
15 the release of each certified federal decennial census, the
16 Board shall review its composition and, if a change is
17 necessary in order to comply with the representation
18 requirements of this subsection (c), shall recommend the
19 necessary revision for approval by the General Assembly.

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 ~~shall appoint~~
11 from its membership shall appoint a chairman and may appoint
12 vice chairmen ~~chairman~~ and shall provide the term and duties of
13 those officers pursuant to its bylaws. ~~The vice chairman shall~~
14 ~~act as chairman during the absence or disability of the~~
15 ~~chairman and in case of resignation or death of the chairman.~~
16 Before entering upon duties of office, the chairman shall
17 execute a bond with corporate sureties to be approved by the
18 Board and shall file it with the principal office of the Board.
19 The bond shall be payable to the Board in whatever penal sum
20 may be directed and shall be conditioned upon the faithful
21 performance of the duties of office and the payment of all
22 money received by the chairman according to law and the orders
23 of the Board. The Board may appoint, from time to time, an
24 executive committee and standing and ad hoc committees to
25 assist in carrying out its responsibilities.

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

1 (70 ILCS 1707/44 new)

2 Sec. 44. Regional Data and Information Program. CMAP shall
3 be the authoritative source for regional data collection,
4 exchange, dissemination, analysis, evaluation, forecasting and
5 modeling. With the involvement of state, regional, and local
6 governments and agencies, CMAP shall create and maintain a
7 timely, ongoing, and coordinated data and information sharing
8 program that will provide the best available data on the
9 region. This program shall include a publicly accessible
10 mechanism for data access and distribution. CMAP's official
11 forecasts shall be the foundation for all planning in the
12 region.

13 (70 ILCS 1707/45)

14 Sec. 45. Regional comprehensive plan. At intervals not to
15 exceed every 5 years, or as needed to be consistent with
16 federal law, the Board shall develop a regional comprehensive
17 plan that integrates land use and transportation. The regional
18 comprehensive plan and any modifications to it shall be
19 developed cooperatively by the Board, ~~the CATS Policy~~
20 ~~Committee, and NIPC~~ with the involvement of citizens, units of
21 local government, business and labor organizations,
22 environmental organizations, transportation and planning
23 agencies, State agencies, private and civic organizations,
24 public and private providers of transportation, and land

1 preservation agencies. Any elements of the regional
2 comprehensive plan or modifications that relate to
3 transportation shall be developed cooperatively with the
4 Policy Committee. Units of local government shall continue to
5 maintain control over land use and zoning decisions.

6 Scope of Regional Comprehensive Plan. The Regional
7 Comprehensive Plan shall present the goals, policies,
8 guidelines, and recommendations to guide the physical
9 development of the Region. It shall include, but shall not be
10 limited to:

11 (a) Official forecasts for overall growth and change and an
12 evaluation of alternative scenarios for the future of the
13 Region including alternatives for public and private
14 investments in housing, economic development, preservation of
15 natural resources, transportation, water supply, flood
16 control, sewers, and other physical infrastructure. It shall
17 present a preferred plan that makes optimum use of public and
18 private resources to achieve the goals of the Plan.

19 (b) Land use and transportation policies that reflect the
20 relationship of transportation to land use, economic
21 development, the environment, air quality, and energy
22 consumption; foster the efficient movement of people and goods;
23 coordinate modes of transportation; coordinate planning among
24 federal agencies, state agencies, transportation agencies, and
25 local governments; and address the safety and equity of
26 transportation services across the Region.

1 (c) A plan for a coordinated and integrated transportation
2 system for the region consisting of a multimodal network of
3 facilities and services to be developed over a 20-year period
4 to support efficient movement of people and goods. The
5 transportation system plan shall include statements of minimum
6 levels of service that describe the performance for each mode
7 in order to meet the goals and policies of the Plan.

8 (d) A listing of proposed public investment priorities in
9 transportation and other public facilities and utilities of
10 regional significance. The list shall include a project
11 description, an identification of the responsible agency, the
12 timeframe that the facility or utility is proposed for
13 construction or installation, an estimate of costs, and sources
14 of public and private revenue for covering such costs.

15 (e) The criteria and procedures proposed for evaluating and
16 ranking projects in the Plan and for the allocation of
17 transportation funds.

18 (f) Measures to best coordinate programs of local
19 governments, transportation agencies, and State agencies to
20 promote the goals and policies of the Regional Comprehensive
21 Plan.

22 (g) Proposals for model ordinances and agreements that may
23 be enacted by local governments.

24 (h) Recommendations for legislation as may be necessary to
25 fully implement the Regional Comprehensive Plan.

26 (i) Developing components for regional functional issues

1 including:

2 (1) A regional housing component that documents the
3 needs for housing in the region and the extent to which
4 private-sector and public-sector programs are meeting
5 those needs; provides the framework for and facilitates
6 planning for the housing needs of the region, including the
7 need for affordable housing, especially as it relates to
8 the location of such housing proximate to job sites, and
9 develops sound strategies, programs and other actions to
10 address the need for housing choice throughout the region.

11 (2) A regional freight component, the purpose of which
12 is to create an efficient system of moving goods that
13 supports economic growth of the region and sound regional
14 and community development by identifying investments in
15 freight facilities of regional, State, and national
16 significance that will be needed to eliminate existing and
17 forecasted bottlenecks and inefficiencies in the
18 functioning of the region's freight network; recommending
19 improvements in the operation and management of the freight
20 network; and recommending policies to effect the efficient
21 multi-modal movement of goods to, through, and from the
22 region.

23 (3) A component for protecting and enhancing the
24 environment and the region's natural resources the purpose
25 of which is to improve the region's environmental health,
26 quality of life, and community well-being by defining and

1 protecting environmentally critical areas; encouraging
2 development that does not harm environmentally critical
3 areas; promoting sustainable land use and transportation
4 practices and policies by local governments.

5 (4) Optionally, other regional components for services
6 and facilities, including, but not limited to: water,
7 sewer, transportation, solid waste, historic preservation,
8 and flood control. Such plans shall provide additional
9 goals, policies, guidelines, and supporting analyses that
10 add detail, and are consistent with, the adopted Regional
11 Comprehensive Plan.

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

13 (70 ILCS 1707/47 new)

14 Sec. 47. Developments of Regional Importance. The Board
15 shall consider the regional and intergovernmental impacts of
16 proposed major developments, infrastructure investments and
17 major policies and actions by public and private entities on
18 natural resources, neighboring communities, and residents. The
19 Board shall:

20 (a) Define the Scope of Developments of Regional Importance
21 (DRI) and create an efficient process for reviewing them.

22 (b) Require any DRI project sponsor, which can be either a
23 public or private entity, to submit information about the
24 proposed DRI to CMAP and neighboring communities, counties, and
25 regional planning and transportation agencies for review.

1 (c) Review and comment on a proposed DRI regarding
2 consistency with regional plans and intergovernmental and
3 regional impacts.

4 The Board shall complete a review under this Section within
5 a timeframe established when creating the DRI process. A delay
6 in the review process either requested or agreed to by the
7 applicant shall toll the running of the review period. If the
8 Board fails to complete the review within the required period,
9 the review fee paid by the applicant under this Section shall
10 be refunded in full to the applicant. If, however, the
11 applicant withdraws the application at any time after the Board
12 commences its review, no part of the review fee shall be
13 refunded to the applicant.

14 (70 ILCS 1707/48 new)

15 Sec. 48. Incentives for Creating More Sustainable
16 Communities. CMAP shall establish an incentive program to
17 enable local governments and developers to: create more
18 affordable workforce housing options near jobs and transit;
19 create jobs near existing affordable workforce housing; create
20 transit-oriented development; integrate transportation and
21 land use planning; provide a range of viable transportation
22 choices in addition to the car; encourage compact and mixed-use
23 development; and support neighborhood revitalization. CMAP
24 shall work with federal, State, regional, and local agencies to
25 identify funding opportunities for these incentives from

1 existing and proposed programs.

2 (70 ILCS 1707/51 new)

3 Sec. 51. Certification; cooperation between local and
4 regional plans; plan review.

5 Certification of regional plan and forecasts. Upon the
6 adoption of a Regional Plan or segment of a Regional Plan, the
7 Board shall certify a copy thereof to the State, each
8 transportation agency and each local government affected by
9 such plan. CMAP's official forecasts and plans shall be the
10 foundation for all planning in the region.

11 Agencies to provide information and cooperate. Each local
12 government, transportation agency, and State agency shall
13 cooperate with and assist the Board in carrying out its
14 functions and shall provide to the Board all information
15 requested by the Board. Counties and municipalities shall
16 submit copies of any official plans to CMAP, including but not
17 limited to comprehensive, transportation, housing, and capital
18 improvement plans.

19 Review of county and municipal plans. The Board may review
20 and comment on proposed county and municipal plans and plan
21 amendments within its jurisdiction for consistency with the
22 regional comprehensive plan and maintain a copy of such plans.

23 (70 ILCS 1707/55)

24 Sec. 55. Transportation financial plan.

1 (a) Concurrent with preparation of the regional
2 transportation and comprehensive plans, the Board shall
3 prepare and adopt, in cooperation with the ~~CATS~~ Policy
4 Committee, a transportation financial plan for the region in
5 accordance with federal and State laws, rules, and regulations.

6 (b) The transportation financial plan shall address the
7 following matters related to the transportation agencies: (i)
8 adequacy of funding to meet identified needs; and (ii)
9 allocation of funds to regional priorities.

10 (c) The transportation financial plan may propose
11 recommendations for additional funding by the federal
12 government, the State, or units of local government that may be
13 necessary to fully implement regional plans.

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

15 (70 ILCS 1707/60)

16 Sec. 60. Transportation decision-making ~~Metropolitan~~
17 ~~planning organization.~~

18 (a) ~~The~~ It is the intent of this Act that the ~~CATS~~ Policy
19 Committee is, ~~as the Transportation Planning Committee for the~~
20 ~~Board, remain~~ the federally designated Metropolitan Planning
21 Organization for the Chicago region under the requirements of
22 federal regulations promulgated by USDOT. The ~~CATS~~ Policy
23 Committee shall ~~prepare and~~ approve all plans, reports, and
24 programs required of an MPO, including the federally mandated
25 Regional Transportation Plan, Transportation Improvement

1 Program and Unified Work Program.

2 (b) It is the intent of this Act that the transportation
3 planning and investment decision-making process be fully
4 integrated into the regional planning process.

5 (c) The Board, in cooperation with local governments and
6 transportation providers, shall develop and adopt a process for
7 making the transportation decisions that require final MPO
8 approval pursuant to federal law. That process shall comply
9 with all applicable federal requirements. The adopted process
10 shall ensure that all MPO plans, reports, and programs shall be
11 approved by the CMAP Board prior to final approval by the MPO.

12 (d) The Board shall continue directly involving local
13 elected officials in federal program allocation decisions for
14 the Surface Transportation Program and Congestion Mitigation
15 and Air Quality funds and in addressing other regional
16 transportation issues.

17 ~~(b) The processes previously established by the CATS Policy~~
18 ~~Committee shall be continued as the means by which local~~
19 ~~elected officials program federal Surface Transportation~~
20 ~~Program and Congestion, Mitigation, and Air Quality funds and~~
21 ~~address other regional transportation issues.~~

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

23 (70 ILCS 1707/61 new)

24 Sec. 61. Agency Designated Planning Grant Recipient and
25 Other Designations. The Board is eligible to apply for and

1 receive federal grants for regional planning in the
2 northeastern Illinois region. The Board shall review
3 applications requesting significant federal grants to
4 transportation agencies and local governments based on
5 criteria including conformity with the Regional Comprehensive
6 Plan and relevant functional components.

7 (70 ILCS 1707/62 new)

8 Sec. 62. Board Funding. In order to carry out any of the
9 powers or purposes of CMAP, the Board shall be involved in the
10 allocation of traditional sources of funds such as those from
11 the federal Metropolitan Planning Program and CMAQ as well as
12 non-traditional federal funds consistent with the Board's
13 broader mission. These funds may be supplemented by fees for
14 services and by grants from nongovernmental agencies. The Board
15 may also pursue and accept funding from State, regional, and
16 local sources in order to meet its planning objectives.

17 Additional funding shall be provided to CMAP to support
18 those functions and programs authorized by this Act.

19 (70 ILCS 1707/63 new)

20 Sec. 63. Succession; Transfers Related to NIPC. CMAP shall
21 succeed to all rights and interests of NIPC. Such transfer and
22 succession shall not limit or restrict any power or authority
23 of CMAP exercised pursuant to this Act and shall not limit any
24 rights or obligations of CMAP with respect to any contracts,

1 agreements, bonds or other indebtedness, right or interest
2 relating to any cause of action then in existence of NIPC that
3 shall continue and shall be assumed by CMAP. Funds appropriated
4 or otherwise made available to NIPC shall become available to
5 CMAP for the balance of the current State fiscal year for
6 interim use as determined by CMAP. NIPC shall transfer all of
7 the records, documents, property, and assets of NIPC to CMAP.

8 (70 ILCS 1707/65)

9 Sec. 65. Annual report. The Board shall prepare, publish,
10 and distribute a concise ~~an~~ annual report on the region's
11 progress toward achieving its priorities and on the degree to
12 which consistency exists between local and regional plans. Any
13 ~~and any~~ other reports and plans that relate to the purpose of
14 this Act may also be included.

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

16 (70 ILCS 1705/Act rep.)

17 Section 15. The Northeastern Illinois Planning Act is
18 repealed.

19 Section 90. The State Mandates Act is amended by adding
20 Section 8.31 as follows:

21 (30 ILCS 805/8.31 new)

22 Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8

1 of this Act, no reimbursement by the State is required for the
2 implementation of any mandate created by this amendatory Act of
3 the 95th General Assembly.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".