

1 AN ACT concerning noise abatement.

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 Regional Noise Abatement Commission Act.

6 Section 5. Definitions. In this Act:

7 "Board" means the Board of Directors of the Regional  
8 Noise Abatement Commission.

9 "Commission" means the Regional Noise Abatement  
10 Commission created by this Act.

11 "Metropolitan region" means all of the territory in Cook,  
12 DuPage, Kane, Lake, and Will Counties.

13 Section 10. Regional Noise Abatement Commission.

14 (a) The Regional Noise Abatement Commission is created  
15 as a separate and independent unit of local government.

16 (b) The corporate authorities and governing body of the  
17 Commission is a Board of Directors consisting of 13 directors  
18 appointed as follows:

19 (1) Three directors, who must be residents of the  
20 City of Chicago, appointed by the Mayor of the City of  
21 Chicago with the advice and consent of the City Council  
22 of the City of Chicago.

23 (2) Three directors, residing in that part of Cook  
24 County outside of the City of Chicago, appointed by the  
25 members of the Cook County Board elected from that part  
26 of Cook County outside of the City of Chicago.

27 (3) One director residing in each of the following  
28 counties appointed by the chairmen of that county board  
29 with the advice and consent of the county board: Kane,  
30 Lake, and Will Counties.

1           (4) Three directors, who must be residents of  
2 DuPage County, appointed by the Chairman of the DuPage  
3 County Board with the advice and consent of the County  
4 Board.

5           (5) A Chairman, who must be a resident of the  
6 metropolitan region, appointed by the Governor with the  
7 advice and consent of the Senate.

8           Each appointment made under this Section must be  
9 certified by the appointing authority to the Board. The  
10 Board must maintain the certifications as part of the  
11 official records of the Commission; provided, however, that  
12 the initial appointments must be certified to the Secretary  
13 of State, who must transmit the certifications to the Board  
14 following its organization.

15           Section 15. Chairman and other officers. The Chairman  
16 must preside at meetings of the Board and is entitled to vote  
17 on all matters. The Board must select a secretary and  
18 treasurer and may select persons to fill any other offices of  
19 the Commission and to perform any duties that it determines.  
20 The secretary, treasurer, and other officers may be, but need  
21 not be, members of the Board.

22           Section 20. Terms and vacancies. Each director shall  
23 serve a term of 5 years and until a successor is appointed  
24 and qualified. A vacancy occurs upon the resignation, death,  
25 conviction of a felony, or removal from office of a director.  
26 Any director may be removed from office with the concurrence  
27 of not less than 9 directors upon a formal finding of  
28 incompetence, neglect of duty, or malfeasance in office.  
29 Within 30 days after the office of any director becomes  
30 vacant, the vacancy must be filled in the same manner as the  
31 original appointment for the remainder of the unexpired term.

1 Section 25. Meetings. The Board must prescribe the time  
2 and place of meetings and the manner in which special  
3 meetings may be called. The Board must comply with the Open  
4 Meetings Act. All records, documents, and papers of the  
5 Commission other than those relating to matters concerning  
6 closed sessions of the Board must be available for public  
7 inspection.

8 A majority of the directors holding office constitutes of  
9 quorum for the conduct of business. Except as otherwise  
10 provided in this Act, the affirmative vote of at least 7  
11 directors is necessary for approving any contract or  
12 agreement, adopting any rule or regulation, and taking any  
13 other action required by this Act.

14 Section 30. Powers and duties. The Commission has the  
15 following powers and duties:

16 (1) To study residential and school soundproofing  
17 and to determine which areas are eligible for funding  
18 under this Act.

19 (2) To develop a contour map for soundproofing.

20 (3) To use moneys received by the Commission for:

21 (A) noise mitigation, remediation, abatement,  
22 and compensation projects in the metropolitan  
23 region, including, but not limited to, projects such  
24 as noise soundproofing and property value assurance  
25 programs;

26 (B) administrative costs and consulting  
27 services; and

28 (C) for the performance of any other powers  
29 and duties of the Commission.

30 (4) To sue and be sued.

31 (5) Any other powers necessary to carry out the  
32 purposes of this Act.

1 Section 35. Funding.

2 (a) On the January 1 immediately following the effective  
3 date of this Act and on each January 1 thereafter, the owners  
4 and operators of O'Hare Airport must transfer to the  
5 Commission an amount equal not less than 33% of the passenger  
6 facility charges received with respect to the operations of  
7 O'Hare Airport in the calendar year ending on the prior  
8 December 31.

9 (b) The Commission may use moneys received under this  
10 Section to pay administrative staff and consulting employees  
11 and to fund the Commission's projects under this Act.

12 Section 40. Residential sound insulation program. In  
13 order to carry out the purposes of this Act, the Commission  
14 may lower the qualifying level for inclusion in the  
15 residential sound insulation program from 70 DNL (day-night  
16 average sound level) to 65 DNL.