

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Southwestern Illinois Metropolitan and
5 Regional Planning Act is amended by changing Sections 6, 9,
6 10, 12, 14, 15, and 30 and by adding Section 6.5 as follows:

7 (70 ILCS 1710/6) (from Ch. 85, par. 1156)

8 Sec. 6.

9 (a) Commissioners appointed by the Governor prior to the
10 effective date of this amendatory Act of 1975 shall serve the
11 balance of 6-year terms to which they were appointed.
12 Subsequent to the effective date of the amendatory Act of
13 1975, the Governor shall make no appointments of Commissioners
14 to new terms or to fill vacancies until such time as the total
15 number of Commissioners so appointed by the Governor and then
16 holding valid terms on the Commission shall be reduced by
17 expiration of terms, or attrition, or otherwise, to 7 in
18 number. Thereafter, Commissioners shall be appointed by the
19 Governor to fill terms expiring in such manner as to maintain
20 the number of Governor-appointed Commissioners at 8 in number.
21 Commissioners so appointed after the effective date of the
22 amendatory Act of 1975 shall serve for terms of 4 years and
23 until successors are appointed and qualified, such terms to

1 commence on October 1 of the year in which such Commissioners
2 are each first appointed, provided that initial appointments
3 of Commissioners by the Governor pursuant to revisions enacted
4 by the amendatory Act of 1975 shall be made for terms of one
5 year, 2 years, 3 years, or 4 years (as the Governor shall
6 determine in the case of each appointment) in order to
7 establish a pattern of staggered terms of office in which the
8 terms of 2 Governor-appointed Commissioners expire in each
9 calendar year.

10 Commissioners appointed or selected by means other than
11 appointment by the Governor or by virtue of holding an
12 elective or appointive position separate from the Commission
13 shall serve at the pleasure of the appointing or selecting
14 agency, provided they remain qualified for service as a
15 Commissioner, and provided further that each person or
16 authority making such an appointment shall review the
17 advisability of changing the person so appointed or selected
18 at least every 2 years.

19 If a vacancy occurs by death, resignation or otherwise
20 among Governor-appointed Commissioners, the Governor shall
21 fill the vacancy by an appointment for the unexpired term,
22 subject to the prohibition set forth above precluding the
23 filling of vacancies, after the effective date of the
24 amendatory Act of 1975, until the number of Governor-appointed
25 Commissioners is reduced to 7 in number. In the event of a
26 vacancy by reason of death, resignation or otherwise among

Commissioners selected by means other than appointment by the Governor or by virtue of holding an elective or appointive position separate from the Commission, the proper selecting authority shall make a replacement appointment within a reasonable time period not exceeding 90 days.

(b) Upon appointment of each new member of the Commission under Section 6.5, the terms of the members appointed under this Section shall expire.

(Source: P.A. 79-477.)

(70 ILCS 1710/6.5 new)

Sec. 6.5. Commission membership.

(a) Beginning on the effective date of this amendatory Act of the 104th General Assembly, the Commission shall consist of 34 commissioners, 27 of whom shall be voting members and 7 of whom shall be nonvoting, at-large members.

(1) The 27 voting members of the Commission shall consist of the following commissioners:

(A) the chairman of the Bond County Board, the chairman of the Clinton County Board, the chairman of the Monroe County Board, the chairman of the Randolph County Board, the chairman of the Washington County Board, the chairman of the Madison County Board, and the chairman of the St. Clair County Board shall each serve as a commissioner during their respective terms of office;

1 (B) the chairman of the Bond County Board, the
2 chairman of the Clinton County Board, the chairman of
3 the Monroe County Board, the chairman of the Randolph
4 County Board, and the chairman of the Washington
5 County Board shall each appoint 2 commissioners; the
6 commissioners appointed under this subparagraph (B)
7 shall be either elected or appointed officials of the
8 county board or a unit of local government in the
9 county that appointed them;

10 (C) the chairman of the Madison County Board and
11 the chairman of the St. Clair County Board shall each
12 appoint 3 commissioners; the commissioners appointed
13 under this subparagraph (C) shall be either elected or
14 appointed officials of the county board or a unit of
15 local government in the county that appointed them;

16 (D) the board of the America's Central Port
17 District and the board of Kaskaskia Regional Port
18 District shall each appoint one commissioner;

19 (E) the Southwestern Illinois Council of Mayors
20 shall appoint one commissioner from among its members;
21 and

22 (F) the board of the Metro East Sanitary District
23 shall appoint one commissioner from among its members.

24 (2) The 7 nonvoting at-large members of the Commission
25 shall reside in the Metropolitan and Regional Counties
26 Area and be appointed as follows:

1 (A) one member appointed by the Governor;

2 (B) one member appointed by the Director of
3 Commerce and Economic Opportunity;

4 (C) one member appointed by the executive
5 committee of the Southwestern Illinois Leadership
6 Council;

7 (D) one member appointed by the Board of
8 Commissioners of the Bi-State Development Agency;

9 (E) one member appointed by the Board of Trustees
10 of the Metro East Transit District;

11 (F) one member appointed by the Board of Trustees
12 of the St. Clair County Transit District; and

13 (G) one member appointed by the Board of Directors
14 of the East-West Gateway Council of Governments.

15 (b) Commissioners appointed under subparagraphs (B), (C),
16 (D), (E), and (F) of paragraph (1) of subsection (a) and
17 paragraph (2) of subsection (a) shall serve 4-year terms.
18 Persons appointed under subparagraphs (B), (C), (D), (E), and
19 (F) of paragraph (1) of subsection (a) and paragraph (2) of
20 subsection (a) may be reappointed.

21 (c) If a vacancy occurs by reason of death, resignation,
22 or otherwise among the commissioners, then the authority that
23 appointed the commissioner shall appoint a replacement within
24 90 days.

25 (d) Commissioners appointed under subparagraphs (B), (C),
26 (D), (E), or (F) of paragraph (1) of subsection (a) and

1 paragraph (2) of subsection (a) shall be residents of the
2 Metropolitan and Regional Counties Area and shall meet all
3 other required qualifications as required in this Act.

4 (70 ILCS 1710/9) (from Ch. 85, par. 1159)

5 Sec. 9. At its annual meeting before July first of each
6 year the Commission shall elect an executive committee of 9 ~~26~~
7 members from among its membership. The Executive Committee so
8 elected each year shall serve in office for the period July 1
9 through June 30 following their election. The Executive
10 Committee so elected shall be vested with authority to act on
11 behalf of the Commission and to transact all business of the
12 Commission between meetings of the Commission as specified in
13 Section 10 of this Act. The executive committee shall
14 establish a schedule of regular meetings each year. At its
15 first regular meeting after election each year, the executive
16 committee shall elect from among its membership the following
17 officers of the Commission: a president, a vice president, a
18 secretary, and a treasurer. The newly elected Executive
19 Committee and officers shall assume office as of July 1 of each
20 year.

21 The vice-president shall act as president during the
22 absence or disability of the president and in case of
23 resignation or death of the president. The secretary and
24 treasurer shall perform duties as defined in bylaws of the
25 Commission as may be adopted from time to time by the

1 Commission.

2 (Source: P.A. 82-944.)

3 (70 ILCS 1710/10) (from Ch. 85, par. 1160)

4 Sec. 10. Regular meetings of the Commission shall be held
5 at least once in each calendar year, the time and place of such
6 meetings to be fixed by rule of the Commission.

7 Special meetings of the Commission may be called by the
8 president or by any 5 commissioners ~~8 Commissioners~~. A written
9 notice of the time and place of any special meeting shall be
10 mailed or sent electronically to all commissioners
11 ~~Commissioners~~ by the secretary at least 7 days prior to the
12 date fixed for the meeting, except that if the time and place
13 of a special meeting is fixed at a regular meeting at which all
14 commissioners ~~Commissioners~~ are present, no such written
15 notice is required.

16 All meetings of the Commission shall be open to the
17 public.

18 (Source: P.A. 82-944.)

19 (70 ILCS 1710/12) (from Ch. 85, par. 1162)

20 Sec. 12. A majority of the voting commissioners
21 ~~Commissioners~~ duly appointed at each time quorum is at issue
22 shall constitute a quorum for the transaction of business of
23 the Commission and the concurrence of a majority of the voting
24 commissioners ~~Commissioners~~ present at any meeting where

1 business is conducted is necessary for the Commission to take
2 any action authorized by this Act, except that the executive
3 committee, selected as hereinbefore provided, shall exercise
4 such powers and authority of the Commission as are delegated
5 to such committee by the bylaws and regulations adopted by the
6 Commission or as is authorized the executive committee by
7 Section 9 of this Act. Any voting commissioner ~~Commissioner~~
8 shall have authority and it shall be valid for him or her to
9 vote by written proxy at any meeting of the Executive
10 Committee or other committees of the Commission on which the
11 commissioner ~~such Commissioner~~ may serve, provided that
12 proxies shall never be valid at any meeting of the full
13 Commission and, provided further that no voting commissioner
14 ~~Commissioner~~ shall be privileged to vote by written proxy at
15 more than 2 successive meetings of the Executive Committee or
16 other committees of the Commission on which the commissioner
17 ~~such Commissioner~~ may serve.

18 (Source: P.A. 79-477.)

19 (70 ILCS 1710/14) (from Ch. 85, par. 1164)

20 Sec. 14. All funds received for the use of the Commission
21 shall be deposited in the name of the Commission by the
22 treasurer, in a depository approved by the Commission and
23 shall be withdrawn or paid out only by check, draft,
24 electronic funds transfer, automated clearing house
25 transaction, wire transfer, or direct online payment upon the

1 depository authorized by any 2 of the commissioners or
2 employees designated by the Commission to act as signatories
3 to withdraw funds of the Commission. Funds appropriated to the
4 Commission by the General Assembly shall not be expended
5 except in accordance with a formal planning program and budget
6 reviewed and approved by the Department of Commerce and
7 Economic Opportunity. All funds received for the use of the
8 Commission shall be deposited in the name of the Commission by
9 the treasurer, in a depository approved by the Commission and
10 shall be withdrawn or paid out only by check or draft upon the
11 depository signed by any two of such Commissioners or
12 employees of the Commission as may be designated for this
13 purpose by the Commission, provided further that funds
14 appropriated to the Commission by the General Assembly shall
15 not be expended except in accordance with a formal planning
16 program and budget which has been reviewed and approved by the
17 Department of Commerce and Economic Opportunity. All persons
18 so designated shall execute bonds with corporate sureties
19 approved by the Commission in the same manner and amount as
20 required of the treasurer, and in such amount as determined by
21 the Commission.

22 All commissioners and employees designated by the
23 Commission to act as signatories to withdraw funds of the
24 Commission shall execute bonds with corporate sureties
25 approved by the Commission in the same manner and amount as
26 required of the treasurer, and in such amount as determined by

1 the Commission. In case any person whose signature appears
2 upon any check or draft, issued pursuant to this Act, ceases
3 (after attaching his signature) to hold his office before the
4 delivery thereof to the payee, his signature nevertheless
5 shall be valid and sufficient for all purposes with the same
6 effect as if he had remained in office until delivery thereof.
7 (Source: P.A. 94-793, eff. 5-19-06.)

8 (70 ILCS 1710/15) (from Ch. 85, par. 1165)

9 Sec. 15. The Commission shall appoint an executive
10 director, who shall be the chief of staff of the Commission,
11 and fix the executive director's ~~his~~ compensation. The
12 executive director shall be a person qualified in the fields
13 of municipal and regional planning or public or business
14 administration.

15 With the approval of the Commission, the executive
16 director may appoint a deputy director to assist the executive
17 director ~~him~~ in the performance of the executive director's
18 ~~his~~ duties and may, with such approval, contract in the name of
19 the Commission for such personal and contractual services,
20 supplies and commodities as may be necessary.

21 (Source: Laws 1963, p. 1619.)

22 (70 ILCS 1710/30) (from Ch. 85, par. 1180)

23 Sec. 30. Prior to the adoption of comprehensive and
24 functional plans for the development of the Metropolitan and

1 Regional Counties Area, the Commission shall hold a public
2 hearing thereon.

3 Notice of the time, date and place set by the Commission
4 for the public hearing shall be published in a newspaper
5 having a general circulation within the area of operation of
6 the Commission at least 14 days prior to the date set for the
7 hearing, which notice shall contain a short explanation of the
8 purpose of the hearing.

9 At such hearing the president of the Commission or some
10 commissioner ~~Commissioner~~ designated by the president of the
11 Commission ~~him~~ shall preside.

12 Such hearing may be continued from time to time as may be
13 deemed necessary by the Commission.

14 (Source: P.A. 78-924.)

15 (70 ILCS 1710/5 rep.)

16 Section 10. The Southwestern Illinois Metropolitan and
17 Regional Planning Act is amended by repealing Section 5.

1 INDEX

2 Statutes amended in order of appearance

3	70 ILCS 1710/6	from Ch. 85, par. 1156
4	70 ILCS 1710/6.5 new	
5	70 ILCS 1710/9	from Ch. 85, par. 1159
6	70 ILCS 1710/10	from Ch. 85, par. 1160
7	70 ILCS 1710/12	from Ch. 85, par. 1162
8	70 ILCS 1710/14	from Ch. 85, par. 1164
9	70 ILCS 1710/15	from Ch. 85, par. 1165
10	70 ILCS 1710/30	from Ch. 85, par. 1180
11	70 ILCS 1710/5 rep.	