

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. (a) Commissioners appointed by the Governor prior
9 to the effective date of this amendatory Act of 1975 shall
10 serve the balance of 6-year terms to which they were
11 appointed. Subsequent to the effective date of the amendatory
12 Act of 1975, the Governor shall make no appointments of
13 Commissioners to new terms or to fill vacancies until such
14 time as the total number of Commissioners so appointed by the
15 Governor and then holding valid terms on the Commission shall
16 be reduced by expiration of terms, or attrition, or otherwise,
17 to 7 in number. Thereafter, Commissioners shall be appointed
18 by the Governor to fill terms expiring in such manner as to
19 maintain the number of Governor-appointed Commissioners at 8
20 in number. Commissioners so appointed after the effective date
21 of the amendatory Act of 1975 shall serve for terms of 4 years
22 and until successors are appointed and qualified, such terms
23 to commence on October 1 of the year in which such

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

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

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

1 Governor or by virtue of holding an elective or appointive
2 position separate from the Commission, the proper selecting
3 authority shall make a replacement appointment within a
4 reasonable time period not exceeding 90 days.

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

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

9 (70 ILCS 1710/6.5 new)

10 Sec. 6.5. Commission membership.

11 (a) Beginning on the effective date of this amendatory Act
12 of the 104th General Assembly, the Commission shall consist of
13 33 commissioners, 27 of whom shall be voting members and 6 of
14 whom shall be nonvoting, at-large members.

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

17 (A) the chairman of the Bond County Board, the
18 chairman of the Clinton County Board, the chairman of
19 the Monroe County Board, the chairman of the Randolph
20 County Board, the chairman of the Washington County
21 Board, the chairman of the Madison County Board, and
22 the chairman of the St. Clair County Board shall each
23 serve as a commissioner during their respective terms
24 of office;

25 (B) the chairman of the Bond County Board, the

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

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

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

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

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

23 (2) The 6 nonvoting at-large members of the Commission
24 shall reside in the Metropolitan and Regional Counties
25 Area and be appointed as follows:

26 (A) one member appointed by the Director of

1 Commerce and Economic Opportunity;

2 (B) one member appointed by the executive
3 committee of the Southwestern Illinois Leadership
4 Council;

5 (C) one member appointed by the Board of
6 Commissioners of the Bi-State Development Agency;

7 (D) one member appointed by the Board of Trustees
8 of the Madison County Transit District;

9 (E) one member appointed by the Board of Trustees
10 of the St. Clair County Transit District; and

11 (F) one member appointed by the Board of Directors
12 of the East-West Gateway Council of Governments.

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

22 (c) If a vacancy occurs by reason of death, resignation,
23 or otherwise among the commissioners, then the authority that
24 appointed the commissioner shall appoint a replacement within
25 90 days.

26 (d) Commissioners appointed under subparagraphs (B), (C),

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

5 (70 ILCS 1710/9) (from Ch. 85, par. 1159)

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

22 The vice-president shall act as president during the
23 absence or disability of the president and in case of
24 resignation or death of the president. The secretary and
25 treasurer shall perform duties as defined in bylaws of the

1 Commission as may be adopted from time to time by the
2 Commission.

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

4 (70 ILCS 1710/10) (from Ch. 85, par. 1160)

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

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

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

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

20 (70 ILCS 1710/12) (from Ch. 85, par. 1162)

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

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

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

20 (70 ILCS 1710/14) (from Ch. 85, par. 1164)

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

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

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

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

9 (70 ILCS 1710/15) (from Ch. 85, par. 1165)

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

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

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

23 (70 ILCS 1710/30) (from Ch. 85, par. 1180)

24 Sec. 30. Prior to the adoption of comprehensive and

1 functional plans for the development of the Metropolitan and
2 Regional Counties Area, the Commission shall hold a public
3 hearing thereon.

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

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

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

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

16 (70 ILCS 1710/5 rep.)

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