



Rep. Suzanne Bassi

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1 AMENDMENT TO HOUSE BILL 3121

2 AMENDMENT NO. _____. Amend House Bill 3121 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Regional Planning Act.

6 Section 5. Purpose. The General Assembly declares and
7 determines that a streamlined, consolidated regional planning
8 agency is necessary in order to plan for the most effective
9 public and private investments in the northeastern Illinois
10 region and to better integrate plans for land use and
11 transportation. It is the intent of the General Assembly to
12 consolidate, through an orderly transition, the functions of
13 the Northeastern Illinois Planning Commission (NIPC) and the
14 Chicago Area Transportation Study (CATS) in order to address
15 the development and transportation challenges in the
16 northeastern Illinois region.

17 Section 10. Definitions.

18 "Board" means the Regional Planning Board.

19 "CATS" means the Chicago Area Transportation Study.

20 "CATS Policy Committee" means the policy board of the
21 Chicago Area Transportation Study.

22 "Chief elected county official" means the Board Chairman in
23 DuPage, Kane, Kendall, Lake, and McHenry Counties and the

1 County Executive in Will County.

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

3 "IDOT" means the Illinois Department of Transportation.

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

6 "Members" means the members of the Regional Planning Board.

7 "NIPC" means the Northeastern Illinois Planning
8 Commission.

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

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

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

16 "Transition period" means the period of time the Regional
17 Planning Board takes to fully implement the funding and
18 implementation strategy described under subsection (a) of
19 Section 15.

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

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

28 "USDOT" means the United States Department of
29 Transportation.

30 Section 15. Regional Planning Board; powers.

31 (a) The Regional Planning Board is established as a
32 political subdivision, body politic, and municipal
33 corporation. The Board shall be responsible for developing and

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

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

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

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

22 (3) Identify and promote regional priorities.

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

25 (5) Create a Citizens' Advisory Committee.

26 (c) The Board shall consist of 15 voting members as
27 follows:

28 (1) One member from DuPage County appointed
29 cooperatively by the mayors of DuPage County and the chief
30 elected county official of DuPage County.

31 (2) One member representing both Kane and Kendall
32 Counties appointed cooperatively by the mayors of Kane
33 County and Kendall County and the chief elected county
34 officials of Kane County and Kendall County.

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

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

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

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

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

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

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

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

26 (iii) One by the mayors representing those
27 communities in Cook County that are outside of the City
28 of Chicago, south of Interstate 55, and west of
29 Interstate 57, excluding the communities of Summit,
30 Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and
31 Tinley Park.

32 (iv) One by the mayors representing those
33 communities in Cook County that are outside of the City
34 of Chicago and east of Interstate 57, and, in addition,

1 the communities of Dixmoor, Posen, Robbins,
2 Midlothian, Oak Forest, and Tinley Park.

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

5 (d) The CATS Policy Committee and NIPC shall each appoint
6 one of their members to serve as a non-voting member of the
7 Regional Planning Board.

8 (e) Concurrence of four-fifths of the Board members in
9 office is necessary for the Board to take any action, including
10 remanding regional plans with comments to the CATS Policy
11 Committee and NIPC.

12 Section 20. Duties. In addition to those duties enumerated
13 elsewhere in this Act, the Regional Planning Board shall:

14 (1) Hire an executive director to coordinate staff work
15 of CATS and NIPC. The executive director shall hire a
16 deputy for comprehensive planning and a deputy for
17 transportation planning with the approval of NIPC and the
18 CATS Policy Committee, respectively.

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

22 (3) Secure agreements with funding agencies to provide
23 support for Board operations.

24 (4) Develop methods to handle operational and
25 administrative matters relating to the transition,
26 including labor and employment matters, pension benefits,
27 equipment and technology, leases and contracts, office
28 space, and excess property.

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

32 Section 25. Operations.

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

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

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

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

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

22 (5) The terms of those members appointed, with the
23 consent of the President of the Cook County Board of
24 Commissioners, by the mayors representing those
25 communities in Cook County that are outside of the City of
26 Chicago and north of Devon Avenue shall expire on July 1,
27 2007.

28 (6) The terms of those members appointed, with the
29 consent of the President of the Cook County Board of
30 Commissioners, by the mayors representing those
31 communities in Cook County that are outside of the City of
32 Chicago, south of Interstate 55, and west of Interstate 57,
33 excluding the communities of Summit, Dixmoor, Posen,
34 Robbins, Midlothian, Oak Forest, and Tinley Park, shall

1 expire on July 1, 2007.

2 (7) The terms of those members appointed, with the
3 consent of the President of the Cook County Board of
4 Commissioners, by the mayor representing those communities
5 in Cook County that are outside of the City of Chicago,
6 south of Devon Avenue, and north of Interstate 55, and, in
7 addition, the Village of Summit, shall expire on July 1,
8 2009.

9 (8) The terms of those members appointed, with the
10 consent of the President of the Cook County Board of
11 Commissioners, by the mayors representing those
12 communities in Cook County that are outside of the City of
13 Chicago and east of Interstate 57, and, in addition, the
14 communities of Dixmoor, Posen, Robbins, Midlothian, Oak
15 Forest, and Tinley Park, shall expire on July 1, 2009.

16 (b) If a vacancy occurs, the appropriate appointing
17 authority shall fill the vacancy by an appointment for the
18 unexpired term. Board members shall receive no compensation,
19 but shall be reimbursed for expenses incurred in the
20 performance of their duties.

21 (c) The Board shall be so appointed as to represent the
22 City of Chicago, that part of Cook County outside the City of
23 Chicago, and that part of the metropolitan region outside of
24 Cook County on a one man one vote basis. Within 6 months after
25 the release of each certified federal decennial census, the
26 Board shall review its composition and, if a change is
27 necessary in order to comply with the representation
28 requirements of this subsection (c), shall recommend the
29 necessary revision for approval by the General Assembly.

30 (d) Regular meetings of the Board shall be held at least
31 once in each calendar quarter. The time and place of Board
32 meetings shall be fixed by resolution of the Board. Special
33 meetings of the Board may be called by the chairman or a
34 majority of the Board members. A written notice of the time and

1 place of any special meeting shall be provided to all Board
2 members at least 3 days prior to the date fixed for the
3 meeting, except that if the time and place of a special meeting
4 is fixed at a regular meeting at which all Board members are
5 present, no such written notice is required. A majority of the
6 Board members in office constitutes a quorum for the purpose of
7 convening a meeting of the Board.

8 (e) The meetings of the Board shall be held in compliance
9 with the Open Meetings Act. The Board shall maintain records in
10 accordance with the provisions of the State Records Act.

11 (f) At its initial meeting and its first regular meeting
12 after July 1 of each year thereafter, the Board shall appoint
13 from its membership a chairman and vice chairman and shall
14 provide the term and duties of those officers pursuant to its
15 bylaws. The vice chairman shall act as chairman during the
16 absence or disability of the chairman and in case of
17 resignation or death of the chairman. Before entering upon
18 duties of office, the chairman shall execute a bond with
19 corporate sureties to be approved by the Board and shall file
20 it with the principal office of the Board. The bond shall be
21 payable to the Board in whatever penal sum may be directed and
22 shall be conditioned upon the faithful performance of the
23 duties of office and the payment of all money received by the
24 chairman according to law and the orders of the Board. The
25 Board may appoint, from time to time, an executive committee
26 and standing and ad hoc committees to assist in carrying out
27 its responsibilities.

28 Section 30. Jurisdiction and area of operation. The
29 jurisdiction and area of operation of the Board includes Cook,
30 DuPage, Kane, Kendall, Lake, McHenry, and Will Counties. The
31 Board may enter into agreements with units of local government
32 located outside of, but contiguous to, its jurisdiction and
33 area of operation in order to include those areas in plans for

1 the region. For activities related to the MPO, the jurisdiction
2 of the MPO shall be that area defined by federal requirements.

3 Section 35. General powers and authority. In addition to
4 any other rights, powers, duties, or obligations granted to the
5 Board under this Act or specifically granted to the Board under
6 any other law, the Board has all of the following general
7 powers and authority:

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

9 (2) To enter into agreements with units of local
10 government, transportation agencies, State agencies,
11 federal agencies, and persons in order to implement any of
12 the provisions of this Act, including agreements for
13 specialized planning services.

14 (3) To accept and expend, for purposes consistent with
15 the purposes of this Act, funds and moneys from any source,
16 including gifts, bequests, grants, appropriations, loans,
17 or contributions made by any person, unit of local
18 government, the State, or the federal government.

19 (4) To enter into contracts or other transactions with
20 any unit of local government, transportation agency, State
21 agency, public or private organization, or any other source
22 in furtherance of the purpose of this Act, and to take any
23 necessary action in order to avail itself of such aid and
24 cooperation.

25 (5) To purchase, receive, take by grant, gift, devise,
26 or bequest, lease, or otherwise acquire, own, hold,
27 improve, employ, use, and otherwise deal in and with real
28 or personal property, or any interest therein, wherever
29 situated.

30 (6) To adopt, alter, or repeal its own bylaws and any
31 rules that the Board deems necessary in governing the
32 exercise of its authority and the performance of its duties
33 under this Act.

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

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

7 (9) To exercise any other implied powers that are
8 necessary or convenient for the Board to accomplish its
9 purposes and that are not inconsistent with its expressed
10 powers.

11 (10) To cooperate with any planning agency of a state
12 contiguous to the region in order to integrate and
13 coordinate plans for development of urban areas in that
14 state with the regional comprehensive plan developed under
15 this Act.

16 Section 40. Public participation; public hearing;
17 Citizens' Advisory Committee.

18 (a) The Board shall develop, implement, and maintain a
19 process of public participation designed to: (i) inform and
20 involve the public in all of the public activities and
21 decisions of the Board; (ii) provide access to public records
22 and information maintained by the Board; and (iii) provide
23 mechanisms for public suggestions. The Board shall serve as the
24 single point of contact and direct all public involvement
25 activities.

26 (b) In connection with its review and development of any
27 regional plans and prior to any plan's approval, the Board must
28 hold a public hearing. Notice of the time, date, and place set
29 for the hearing must be published in a newspaper having a
30 general circulation within the Chicago region at least 30 days
31 prior to the date of the hearing. The notice must contain a
32 short explanation of the purpose of the hearing. The hearing
33 may be continued, as deemed necessary by the Board.

1 (c) The Board shall create a standing Citizens' Advisory
2 Committee to provide continuous and balanced public
3 representation in the development of regional plans and
4 policies.

5 Section 45. Regional comprehensive plan. At intervals not
6 to exceed every 5 years, the Board shall develop a regional
7 comprehensive plan that integrates land use and
8 transportation. The regional comprehensive plan and any
9 modifications to it shall be developed cooperatively by the
10 Board, the CATS Policy Committee, and NIPC with the involvement
11 of citizens, units of local government, business and labor
12 organizations, environmental organizations, transportation and
13 planning agencies, State agencies, private and civic
14 organizations, public and private providers of transportation,
15 and land preservation agencies. Units of local government shall
16 continue to maintain control over land use and zoning
17 decisions.

18 Section 50. Coordinated regional advocacy.

19 (a) The Board shall be responsible for identifying regional
20 priorities and providing coordinated advocacy of regional
21 priorities. The Board shall act to ensure that regional
22 priorities are supported by consistent information and that
23 plans of various agencies related to those regional priorities
24 are fully integrated.

25 (b) The Board shall annually publish a list of regional
26 priorities and major public projects for which it is providing
27 coordinated regional advocacy.

28 Section 55. Transportation financial plan.

29 (a) Concurrent with preparation of the regional
30 transportation and comprehensive plans, the Board shall
31 prepare and adopt, in cooperation with the CATS Policy

1 Committee, a transportation financial plan for the region in
2 accordance with federal and State laws, rules, and regulations.

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

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

11 Section 60. Metropolitan planning organization.

12 (a) It is the intent of this Act that the CATS Policy
13 Committee, as the Transportation Planning Committee for the
14 Board, remain the federally designated Metropolitan Planning
15 Organization for the Chicago region under the requirements of
16 federal regulations promulgated by USDOT. The CATS Policy
17 Committee shall prepare and approve all plans, reports, and
18 programs required of an MPO, including the federally mandated
19 Regional Transportation Plan, Transportation Improvement
20 Program and Unified Work Program.

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

26 Section 65. Annual report. The Board shall prepare,
27 publish, and distribute an annual report and any other reports
28 and plans that relate to the purpose of this Act.

29 Section 70. Transition period. The transition period must
30 end no later than 36 months after the initial appointment of
31 the Board, provided that sufficient funding sources have been

1 identified and implemented. The Board must fully implement the
2 funding and implementation strategy it is charged with
3 developing and adopting in subsection (a) of Section 15 by the
4 end of the transition period.

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