

AN ACT concerning local government.

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

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

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

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

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

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

If a vacancy occurs by death, resignation or otherwise among Governor-appointed Commissioners, the Governor shall fill the vacancy by an appointment for the unexpired term, subject to the prohibition set forth above precluding the filling of vacancies, after the effective date of the amendatory Act of 1975, until the number of Governor-appointed Commissioners is reduced to 7 in number. In the event of a 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 33 commissioners, 27 of whom shall be voting members and 6 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;

(B) 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, and the chairman of the Washington County Board shall each appoint 2 commissioners; the commissioners appointed under this subparagraph (B) shall be either elected or appointed officials of the county board or a unit of local government in the county that appointed them;

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

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

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

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

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

(A) one member appointed by the Director of

Commerce and Economic Opportunity;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Source: Laws 1963, p. 1619.)

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

Sec. 30. Prior to the adoption of comprehensive and

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

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

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

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

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

(70 ILCS 1710/5 rep.)

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