

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 America's Central Port District Act is
5 amended by changing Sections 3, 3.1, and 4 as follows:

6 (70 ILCS 1860/3) (from Ch. 19, par. 286)

7 Sec. 3. There is created a political subdivision, body
8 politic, and municipal corporation by the name of America's
9 Central Port District embracing the following territory in
10 Madison and Jersey Counties: all the territory included within
11 the townships of Granite City, Venice, Nameoki, Chouteau, Wood
12 River, Alton, Godfrey, and Elsah, and the City of Grafton
13 Quarry. Territory may be annexed to the District in the manner
14 hereinafter provided in this Act. The District may sue and be
15 sued in its corporate name but execution shall not in any case
16 issue against any property of the District. It may adopt a
17 common seal and change the same at its pleasure.

18 (Source: P.A. 98-854, eff. 1-1-15.)

19 (70 ILCS 1860/3.1) (from Ch. 19, par. 286.1)

20 Sec. 3.1. It is declared that the main purpose of this Act
21 is to promote economic development, including industrial,
22 commercial and transportation activities, thereby reducing the

1 evils attendant upon unemployment and enhancing the public
2 health and welfare of this State.

3 All property of every kind belonging to the Port District
4 shall be exempt from taxation, provided that taxes may be
5 assessed and levied upon a lessee of the District by reason of
6 the value of a leasehold estate separate and apart from the fee
7 or upon such improvements as are constructed and owned by
8 others than the District. All property of the District shall be
9 construed as constituting public property owned by a municipal
10 corporation and used exclusively for public purposes within the
11 provisions of Section 15-155 of the Property Tax Code.

12 (Source: P.A. 88-670, eff. 12-2-94.)

13 (70 ILCS 1860/4) (from Ch. 19, par. 287)

14 Sec. 4. The Port District has the following rights and
15 powers:

16 1. To issue permits: for the construction of all
17 wharves, piers, dolphins, booms, weirs, breakwaters,
18 bulkheads, jetties, bridges or other structures of any
19 kind, over, under, in, or within 40 feet of any navigable
20 waters within the Port District; for the deposit of rock,
21 earth, sand or other material, or any matter of any kind or
22 description in such waters; except that nothing contained
23 in this paragraph 1 shall be construed so that it will be
24 deemed necessary to obtain a permit from the District for
25 the erection, operation or maintenance of any bridge

1 crossing a waterway which serves as a boundary between the
2 State of Illinois and any other State, when such erection,
3 operation or maintenance is performed by any city within
4 the District;

5 2. To prevent or remove obstructions in navigable
6 waters, including the removal of wrecks;

7 3. To locate and establish dock lines and shore or
8 harbor lines;

9 4. To regulate the anchorage, moorage and speed of
10 water borne vessels and to establish and enforce
11 regulations for the operation of bridges, except nothing
12 contained in this paragraph 4 shall be construed to give
13 the District authority to regulate the operation of any
14 bridge crossing a waterway which serves as a boundary
15 between the State of Illinois and any other State, when
16 such operation is performed or to be performed by any city
17 within the District;

18 5. To acquire, own, construct, lease for any period not
19 exceeding 99 years, operate and maintain terminals,
20 terminal facilities and port facilities, to fix and collect
21 just, reasonable, and nondiscriminatory charges for the
22 use of such facilities, and, except as provided herein for
23 short term financing, to use the charges so collected to
24 defray the reasonable expenses of the Port District and to
25 pay the principal of and interest on any revenue bonds
26 issued by the District;

1 6. To acquire, erect, construct, reconstruct, improve,
2 maintain, operate and lease in whole or part for any period
3 not exceeding 99 years, central office or administrative
4 facilities for use by the Port District, any tenant,
5 occupant or user of the District facilities, or anyone
6 engaged in commerce in the District.

7 7. To sell, assign, pledge or hypothecate in whole or
8 in part any contract, lease, income, charges, tolls,
9 rentals or fees of the District to provide short term
10 interim financing pending the issuance of revenue bonds by
11 the District, provided that when such revenue bonds are
12 issued, such contracts, leases, income, charges, tolls,
13 rentals or fees shall be used to defray the reasonable
14 expenses of the Port District and pay the principal of and
15 income on any revenue bonds issued by the District;

16 8. To acquire, own, construct, lease for any period not
17 exceeding 99 years, operate, develop and maintain Port
18 District water and sewerage systems including but not
19 limited to pipes, mains, lines, sewers, pumping stations,
20 settling tanks, treatment plants, water purification
21 equipment, wells, storage facilities and all other
22 equipment, material and facilities necessary to such
23 systems, for the use upon payment of a reasonable fee as
24 set by the District, of any tenant, occupant or user of the
25 District facilities, or anyone engaged in commerce in the
26 District, provided that the District shall not acquire,

1 own, construct, lease, operate, develop and maintain such
2 water and sewerage systems if such services can be provided
3 by a public utility or municipal corporation upon request
4 of the District, and provided further that if the District
5 develops its own water and sewerage systems such systems
6 may be sold or disposed of at anytime to any public utility
7 or municipal corporation which will continue to service the
8 Port District.

9 9. To create, establish, maintain and operate a public
10 incinerator for waste disposal by incineration by any means
11 or method, for use by municipalities for the disposal of
12 municipal wastes and by industries for the disposal of
13 industrial waste; and to lease land and said incineration
14 facilities for the operation of an incinerator for a term
15 not exceeding 99 years and to fix and collect just,
16 reasonable and non-discriminatory charges for the use of
17 such incinerating facilities, and to use the charges or
18 lease proceeds to defray the reasonable expenses of the
19 Port District, and to pay the principal of and interest on
20 any revenue bonds issued by the Port District.

21 10. To locate, establish and maintain a public airport,
22 public airports and public airport facilities within its
23 corporate limits or within or upon any body of water
24 adjacent thereto, and to construct, develop, expand,
25 extend and improve any such airport or airport facilities;

26 11. To operate, maintain, manage, lease or sublease for

1 any period not exceeding 99 years, and to make and enter
2 into contracts for the use, operation or management of, and
3 to provide rules and regulations for, the operation,
4 management or use of, any public airport or public airport
5 facility;

6 12. To fix, charge and collect reasonable rentals,
7 tolls, fees, and charges for the use of any public airport,
8 or any part thereof, or any public airport facility;

9 13. To establish, maintain, extend and improve
10 roadways and approaches by land, water or air to any such
11 airport and to contract or otherwise provide, by
12 condemnation if necessary, for the removal of any airport
13 hazard or the removal or relocation of all private
14 structures, railways, mains, pipes, conduits, wires,
15 poles, and all other facilities and equipment which may
16 interfere with the location, expansion, development, or
17 improvement of airports or with the safe approach thereto
18 or take-off therefrom by aircraft, and to pay the cost of
19 removal or relocation; and, subject to the "Airport Zoning
20 Act", approved July 17, 1945, as amended, to adopt,
21 administer and enforce airport zoning regulations for
22 territory which is within its corporate limits or which
23 extends not more than 2 miles beyond its corporate limits;

24 14. To restrict the height of any object of natural
25 growth or structure or structures within the vicinity of
26 any airport or within the lines of an approach to any

1 airport and, when necessary, for the reduction in the
2 height of any such existing object or structure, to enter
3 into an agreement for such reduction or to accomplish same
4 by condemnation;

5 15. To agree with the state or federal governments or
6 with any public agency in respect to the removal and
7 relocation of any object of natural growth, airport hazard
8 or any structure or building within the vicinity of any
9 airport or within an approach and which is owned or within
10 the control of such government or agency and to pay all or
11 an agreed portion of the cost of such removal or
12 relocation;

13 16. For the prevention of accidents, for the
14 furtherance and protection of public health, safety and
15 convenience in respect to aeronautics, for the protection
16 of property and persons within the District from any hazard
17 or nuisance resulting from the flight of aircraft, for the
18 prevention of interference between, or collision of,
19 aircraft while in flight or upon the ground, for the
20 prevention or abatement of nuisances in the air or upon the
21 ground or for the extension or increase in the usefulness
22 or safety of any public airport or public airport facility
23 owned by the District, the District may regulate and
24 restrict the flight of aircraft while within or above the
25 incorporated territory of the District;

26 17. To police its physical property only and all

1 waterways and to exercise police powers in respect thereto
2 or in respect to the enforcement of any rule or regulation
3 provided by the ordinances of the District and to employ
4 and commission police officers and other qualified persons
5 to enforce the same. The use of any such public airport or
6 public airport facility of the District shall be subject to
7 the reasonable regulation and control of the District and
8 upon such reasonable terms and conditions as shall be
9 established by its Board. A regulatory ordinance of the
10 District adopted under any provision of this Section may
11 provide for a suspension or revocation of any rights or
12 privileges within the control of the District for a
13 violation of any such regulatory ordinance. Nothing in this
14 Section or in other provisions of this Act shall be
15 construed to authorize such Board to establish or enforce
16 any regulation or rule in respect to aviation, or the
17 operation or maintenance of any airport facility within its
18 jurisdiction, which is in conflict with any federal or
19 state law or regulation applicable to the same subject
20 matter;

21 18. To enter into agreements with the corporate
22 authorities or governing body of any other municipal
23 corporation or any political subdivision of this State to
24 pay the reasonable expense of services furnished by such
25 municipal corporation or political subdivision for or on
26 account of income producing properties of the District;

1 19. To enter into contracts dealing in any manner with
2 the objects and purposes of this Act;

3 20. To acquire, own, lease, sell or otherwise dispose
4 of interests in and to real property and improvements
5 situate thereon and in personal property necessary to
6 fulfill the purposes of the District;

7 21. To designate the fiscal year for the District;

8 22. To engage in any activity or operation which is
9 incidental to and in furtherance of efficient operation to
10 accomplish the District's primary purpose;

11 23. To apply to proper authorities of the United States
12 of America pursuant to appropriate Federal Law for the
13 right to establish, operate, maintain and lease foreign
14 trade zones and sub-zones which may be located within or
15 outside the territory ~~within the limits~~ of America's
16 Central Port District and to establish, operate, maintain,
17 and lease such, ~~or its limits as approved~~ foreign trade
18 zones and the subzones ~~by the United States Foreign Trade~~
19 ~~Zones Board, or within the jurisdiction of the United~~
20 ~~States Customs Service Office of the St. Louis Port of~~
21 ~~Entry and to establish, operate, maintain and lease such~~
22 ~~foreign trade zones and the sub-zones;~~

23 24. To operate, maintain, manage, lease, or sublease
24 for any period not exceeding 99 years any former military
25 base owned or leased by the District and within its
26 jurisdictional boundaries, to make and enter into any

1 contract for the use, operation, or management of any
2 former military base owned or leased by the District and
3 located within its jurisdictional boundaries, and to
4 provide rules and regulations for the development,
5 redevelopment, and expansion of any former military base
6 owned or leased by the District and located within its
7 jurisdictional boundaries;

8 25. To locate, establish, re-establish, expand or
9 renew, construct or reconstruct, operate, and maintain any
10 facility, building, structure, or improvement for a use or
11 a purpose consistent with any use or purpose of any former
12 military base owned or leased by the District and located
13 within its jurisdictional boundaries;

14 26. To acquire, own, sell, convey, construct, lease for
15 any period not exceeding 99 years, manage, operate, expand,
16 develop, and maintain any telephone system, including, but
17 not limited to, all equipment, materials, and facilities
18 necessary or incidental to that telephone system, for use,
19 at the option of the District and upon payment of a
20 reasonable fee set by the District, of any tenant or
21 occupant situated on any former military base owned or
22 leased by the District and located within its
23 jurisdictional boundaries;

24 27. To cause to be incorporated one or more subsidiary
25 business corporations, wholly owned by the District, to
26 own, operate, maintain, and manage facilities and services

1 related to any telephone system, pursuant to paragraph 26.
2 A subsidiary corporation formed pursuant to this paragraph
3 shall (i) be deemed a telecommunications carrier, as that
4 term is defined in Section 13-202 of the Public Utilities
5 Act, (ii) have the right to apply to the Illinois Commerce
6 Commission for a Certificate of Service Authority or a
7 Certificate of Interexchange Service Authority, and (iii)
8 have the powers necessary to carry out lawful orders of the
9 Illinois Commerce Commission;

10 28. To improve, develop, or redevelop any former
11 military base situated within the boundaries of the
12 District, in Madison County, Illinois, and acquired by the
13 District from the federal government, acting by and through
14 the United States Maritime Administration, pursuant to any
15 plan for redevelopment, development, or improvement of
16 that military base by the District that is approved by the
17 United States Maritime Administration under the terms and
18 conditions of conveyance of the former military base to the
19 District by the federal government;

20 29. To acquire, erect, construct, maintain and operate
21 aquariums, museums, planetariums, climatrons and other
22 edifices for the collection and display of objects
23 pertaining to natural history or the arts and sciences, or
24 sports facilities and to permit the directors or trustees
25 of any corporation or society organized for the erection,
26 construction, maintenance and operation of an aquarium,

1 museum, planetarium, climatrons, sports facilities or
2 other such edifice to perform such erection, construction,
3 maintenance and operation on or within any property now or
4 hereafter owned by or under the control or supervision of
5 the District; and to contract with any such directors or
6 trustees relative to such acquisition, erection,
7 construction, maintenance and operation and to authorize
8 such directors or trustees to charge an admission fee, the
9 proceeds of which shall be devoted exclusively to such
10 erection, construction, maintenance and operation;

11 30. To acquire, erect, construct, reconstruct,
12 improve, maintain and operate one or more, or a combination
13 or combinations of, industrial buildings, office
14 buildings, residential buildings, buildings to be used as a
15 factory, mill shops, processing plants, packaging plants,
16 assembly plants, fabricating plants, and buildings to be
17 used as warehouses and other storage facilities;

18 31. To establish, organize, own, acquire, participate
19 in, operate, sell, and transfer ~~cause to be incorporated~~
20 one or more ~~subsidiary~~ business entities ~~corporations~~ to
21 own, operate, maintain, and manage facilities and services
22 related to the community and economic development
23 interests of the District, including, but not limited to,
24 any terminal, terminal facilities, airfields, airports,
25 port facilities, or real property of the District, whether
26 as shareholder, partner, or co-venturer, alone or in

1 cooperation with federal, state, or local governmental
2 authorities or any other public or private corporation or
3 person or persons. Such ~~subsidiary~~ business entities
4 ~~corporations~~ and all of the property thereof, wholly or
5 partly owned, directly or indirectly, by the District,
6 shall have the same privileges and immunities as accorded
7 to the District; and ~~subsidiary~~ business entities
8 ~~corporations~~ may borrow money or obtain financial
9 assistance from private lenders or federal and state
10 governmental authorities or issue revenue bonds with the
11 same kinds of security, and in accordance with the same
12 procedures, restrictions and privileges applicable when
13 the District obtains financial assistance or issues bonds
14 for any of its other authorized purposes. For purposes of
15 this paragraph, "business entities" means a person,
16 partnership, association, public or private corporation,
17 or similar organization, whether operated for profit or not
18 for profit.

19 (Source: P.A. 98-854, eff. 1-1-15.)