



Rep. C.D. Davidsmeyer

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09900HB3664ham002

LRB099 09450 AWJ 33502 a

1 AMENDMENT TO HOUSE BILL 3664

2 AMENDMENT NO. _____. Amend House Bill 3664, AS AMENDED, in
3 the introductory clause of Section 5, by changing "Section 3"
4 to "Sections 3, 3.1, and 4"; and

5 by inserting at the end of the bill the following:

6 "(70 ILCS 1860/3.1) (from Ch. 19, par. 286.1)

7 Sec. 3.1. It is declared that the main purpose of this Act
8 is to promote economic development, including industrial,
9 commercial and transportation activities, thereby reducing the
10 evils attendant upon unemployment and enhancing the public
11 health and welfare of this State.

12 All property of every kind belonging to the Port District
13 shall be exempt from taxation, provided that taxes may be
14 assessed and levied upon a lessee of the District by reason of
15 the value of a leasehold estate separate and apart from the fee
16 or upon such improvements as are constructed and owned by

1 others than the District. All property of the District shall be
2 construed as constituting public property owned by a municipal
3 corporation and used exclusively for public purposes within the
4 provisions of Section 15-155 of the Property Tax Code.

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

6 (70 ILCS 1860/4) (from Ch. 19, par. 287)

7 Sec. 4. The Port District has the following rights and
8 powers:

9 1. To issue permits: for the construction of all
10 wharves, piers, dolphins, booms, weirs, breakwaters,
11 bulkheads, jetties, bridges or other structures of any
12 kind, over, under, in, or within 40 feet of any navigable
13 waters within the Port District; for the deposit of rock,
14 earth, sand or other material, or any matter of any kind or
15 description in such waters; except that nothing contained
16 in this paragraph 1 shall be construed so that it will be
17 deemed necessary to obtain a permit from the District for
18 the erection, operation or maintenance of any bridge
19 crossing a waterway which serves as a boundary between the
20 State of Illinois and any other State, when such erection,
21 operation or maintenance is performed by any city within
22 the District;

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

25 3. To locate and establish dock lines and shore or

1 harbor lines;

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

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

20 6. To acquire, erect, construct, reconstruct, improve,
21 maintain, operate and lease in whole or part for any period
22 not exceeding 99 years, central office or administrative
23 facilities for use by the Port District, any tenant,
24 occupant or user of the District facilities, or anyone
25 engaged in commerce in the District.

26 7. To sell, assign, pledge or hypothecate in whole or

1 in part any contract, lease, income, charges, tolls,
2 rentals or fees of the District to provide short term
3 interim financing pending the issuance of revenue bonds by
4 the District, provided that when such revenue bonds are
5 issued, such contracts, leases, income, charges, tolls,
6 rentals or fees shall be used to defray the reasonable
7 expenses of the Port District and pay the principal of and
8 income on any revenue bonds issued by the District;

9 8. To acquire, own, construct, lease for any period not
10 exceeding 99 years, operate, develop and maintain Port
11 District water and sewerage systems including but not
12 limited to pipes, mains, lines, sewers, pumping stations,
13 settling tanks, treatment plants, water purification
14 equipment, wells, storage facilities and all other
15 equipment, material and facilities necessary to such
16 systems, for the use upon payment of a reasonable fee as
17 set by the District, of any tenant, occupant or user of the
18 District facilities, or anyone engaged in commerce in the
19 District, provided that the District shall not acquire,
20 own, construct, lease, operate, develop and maintain such
21 water and sewerage systems if such services can be provided
22 by a public utility or municipal corporation upon request
23 of the District, and provided further that if the District
24 develops its own water and sewerage systems such systems
25 may be sold or disposed of at anytime to any public utility
26 or municipal corporation which will continue to service the

1 Port District.

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

14 10. To locate, establish and maintain a public airport,
15 public airports and public airport facilities within its
16 corporate limits or within or upon any body of water
17 adjacent thereto, and to construct, develop, expand,
18 extend and improve any such airport or airport facilities;

19 11. To operate, maintain, manage, lease or sublease for
20 any period not exceeding 99 years, and to make and enter
21 into contracts for the use, operation or management of, and
22 to provide rules and regulations for, the operation,
23 management or use of, any public airport or public airport
24 facility;

25 12. To fix, charge and collect reasonable rentals,
26 tolls, fees, and charges for the use of any public airport,

1 or any part thereof, or any public airport facility;

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

17 14. To restrict the height of any object of natural
18 growth or structure or structures within the vicinity of
19 any airport or within the lines of an approach to any
20 airport and, when necessary, for the reduction in the
21 height of any such existing object or structure, to enter
22 into an agreement for such reduction or to accomplish same
23 by condemnation;

24 15. To agree with the state or federal governments or
25 with any public agency in respect to the removal and
26 relocation of any object of natural growth, airport hazard

1 or any structure or building within the vicinity of any
2 airport or within an approach and which is owned or within
3 the control of such government or agency and to pay all or
4 an agreed portion of the cost of such removal or
5 relocation;

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

19 17. To police its physical property only and all
20 waterways and to exercise police powers in respect thereto
21 or in respect to the enforcement of any rule or regulation
22 provided by the ordinances of the District and to employ
23 and commission police officers and other qualified persons
24 to enforce the same. The use of any such public airport or
25 public airport facility of the District shall be subject to
26 the reasonable regulation and control of the District and

1 upon such reasonable terms and conditions as shall be
2 established by its Board. A regulatory ordinance of the
3 District adopted under any provision of this Section may
4 provide for a suspension or revocation of any rights or
5 privileges within the control of the District for a
6 violation of any such regulatory ordinance. Nothing in this
7 Section or in other provisions of this Act shall be
8 construed to authorize such Board to establish or enforce
9 any regulation or rule in respect to aviation, or the
10 operation or maintenance of any airport facility within its
11 jurisdiction, which is in conflict with any federal or
12 state law or regulation applicable to the same subject
13 matter;

14 18. To enter into agreements with the corporate
15 authorities or governing body of any other municipal
16 corporation or any political subdivision of this State to
17 pay the reasonable expense of services furnished by such
18 municipal corporation or political subdivision for or on
19 account of income producing properties of the District;

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

22 20. To acquire, own, lease, sell or otherwise dispose
23 of interests in and to real property and improvements
24 situate thereon and in personal property necessary to
25 fulfill the purposes of the District;

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

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

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

16 24. To operate, maintain, manage, lease, or sublease
17 for any period not exceeding 99 years any former military
18 base owned or leased by the District and within its
19 jurisdictional boundaries, to make and enter into any
20 contract for the use, operation, or management of any
21 former military base owned or leased by the District and
22 located within its jurisdictional boundaries, and to
23 provide rules and regulations for the development,
24 redevelopment, and expansion of any former military base
25 owned or leased by the District and located within its
26 jurisdictional boundaries;

1 25. To locate, establish, re-establish, expand or
2 renew, construct or reconstruct, operate, and maintain any
3 facility, building, structure, or improvement for a use or
4 a purpose consistent with any use or purpose of any former
5 military base owned or leased by the District and located
6 within its jurisdictional boundaries;

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

17 27. To cause to be incorporated one or more subsidiary
18 business corporations, wholly owned by the District, to
19 own, operate, maintain, and manage facilities and services
20 related to any telephone system, pursuant to paragraph 26.
21 A subsidiary corporation formed pursuant to this paragraph
22 shall (i) be deemed a telecommunications carrier, as that
23 term is defined in Section 13-202 of the Public Utilities
24 Act, (ii) have the right to apply to the Illinois Commerce
25 Commission for a Certificate of Service Authority or a
26 Certificate of Interexchange Service Authority, and (iii)

1 have the powers necessary to carry out lawful orders of the
2 Illinois Commerce Commission;

3 28. To improve, develop, or redevelop any former
4 military base situated within the boundaries of the
5 District, in Madison County, Illinois, and acquired by the
6 District from the federal government, acting by and through
7 the United States Maritime Administration, pursuant to any
8 plan for redevelopment, development, or improvement of
9 that military base by the District that is approved by the
10 United States Maritime Administration under the terms and
11 conditions of conveyance of the former military base to the
12 District by the federal government;

13 29. To acquire, erect, construct, maintain and operate
14 aquariums, museums, planetariums, climatrons and other
15 edifices for the collection and display of objects
16 pertaining to natural history or the arts and sciences, or
17 sports facilities and to permit the directors or trustees
18 of any corporation or society organized for the erection,
19 construction, maintenance and operation of an aquarium,
20 museum, planetarium, climatrons, sports facilities or
21 other such edifice to perform such erection, construction,
22 maintenance and operation on or within any property now or
23 hereafter owned by or under the control or supervision of
24 the District; and to contract with any such directors or
25 trustees relative to such acquisition, erection,
26 construction, maintenance and operation and to authorize

1 such directors or trustees to charge an admission fee, the
2 proceeds of which shall be devoted exclusively to such
3 erection, construction, maintenance and operation;

4 30. To acquire, erect, construct, reconstruct,
5 improve, maintain and operate one or more, or a combination
6 or combinations of, industrial buildings, office
7 buildings, residential buildings, buildings to be used as a
8 factory, mill shops, processing plants, packaging plants,
9 assembly plants, fabricating plants, and buildings to be
10 used as warehouses and other storage facilities;

11 31. To establish, organize, own, acquire, participate
12 in, operate, sell, and transfer ~~cause to be incorporated~~
13 one or more ~~subsidiary~~ business entities ~~corporations~~ to
14 own, operate, maintain, and manage facilities and services
15 related to the community and economic development
16 interests of the District, including, but not limited to,
17 any terminal, terminal facilities, airfields, airports,
18 port facilities, or real property of the District, whether
19 as shareholder, partner, or co-venturer, alone or in
20 cooperation with federal, state, or local governmental
21 authorities or any other public or private corporation or
22 person or persons. Such ~~subsidiary~~ business entities
23 ~~corporations~~ and all of the property thereof, wholly or
24 partly owned, directly or indirectly, by the District,
25 shall have the same privileges and immunities as accorded
26 to the District; and ~~subsidiary~~ business entities

1 ~~corporations~~ may borrow money or obtain financial
2 assistance from private lenders or federal and state
3 governmental authorities or issue revenue bonds with the
4 same kinds of security, and in accordance with the same
5 procedures, restrictions and privileges applicable when
6 the District obtains financial assistance or issues bonds
7 for any of its other authorized purposes. For purposes of
8 this paragraph, "business entities" means a person,
9 partnership, association, public or private corporation,
10 or similar organization, whether operated for profit or not
11 for profit.

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