

1 AN ACT concerning transportation.

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

4 Section 5. The Toll Highway Act is amended by changing
5 Section 8 as follows:

6 (605 ILCS 10/8) (from Ch. 121, par. 100-8)

7 Sec. 8. The Authority shall have the power:

8 (a) To acquire, own, use, hire, lease, operate and dispose
9 of personal property, real property (except with respect to
10 the headquarters building and surrounding land of the
11 Authority located at 2700 Ogden Avenue, Downers Grove,
12 Illinois, which may be sold or mortgaged only as provided in
13 Section 7.5 of the State Property Control Act to the extent
14 that such property is subject to the State Property Control
15 Act at the time of the proposed sale), any interest therein,
16 including rights-of-way, franchises and easements.

17 (b) To enter into all contracts and agreements necessary
18 or incidental to the performance of its powers under this Act.
19 All employment contracts let under this Act shall be in
20 conformity with the applicable provisions of "An Act
21 regulating wages of laborers, mechanics and other workers
22 employed under contracts for public works," approved June 26,
23 1941, as amended.

1 (c) To employ and discharge, without regard to the
2 requirements of any civil service or personnel act, such
3 administrative, engineering, traffic, architectural,
4 construction, and financial experts, and inspectors, and such
5 other employees, as are necessary in the Authority's judgment
6 to carry out the purposes of this Act; and to establish and
7 administer standards of classification of all of such persons
8 with respect to their compensation, duties, performance, and
9 tenure; and to enter into contracts of employment with such
10 persons for such periods and on such terms as the Authority
11 deems desirable.

12 (d) To appoint by and with the consent of the Attorney
13 General, assistant attorneys for such Authority, which said
14 assistant attorneys shall be under the control, direction and
15 supervision of the Attorney General and shall serve at his
16 pleasure.

17 (e) To retain special counsel, subject to the approval of
18 the Attorney General, as needed from time to time, and fix
19 their compensation, provided however, such special counsel
20 shall be subject to the control, direction and supervision of
21 the Attorney General and shall serve at his pleasure.

22 (f) To acquire, construct, relocate, operate, regulate and
23 maintain a system of toll highways through and within the
24 State of Illinois. However, the Authority does not have the
25 power to acquire, operate, regulate or maintain any system of
26 toll highways or toll bridges or portions of them (including

1 but not limited to any system organized pursuant to Division
2 108 of Article 11 of the Illinois Municipal Code) in the event
3 either of the following conditions exists at the time the
4 proposed acquisition, operation, regulation or maintenance of
5 such system is to become effective:

6 (1) the principal or interest on bonds or other
7 instruments evidencing indebtedness of the system are in
8 default; or

9 (2) the principal or interest on bonds or other
10 instruments evidencing indebtedness of the system have been in
11 default at any time during the 5 year period prior to the
12 proposed acquisition.

13 To facilitate such construction, operation and maintenance
14 and subject to the approval of the Division of Highways of the
15 Department of Transportation, the Authority shall have the
16 full use and advantage of the engineering staff and facilities
17 of the Department.

18 (g) To establish a special pay supplement for those
19 positions of employment that require, pursuant to the
20 Authority's official classification specification, that a
21 person employed in that position speak or write a language
22 other than English, including American Sign Language, to
23 better serve limited English speakers across the State.
24 Positions paid under this paragraph may be eligible for a
25 bilingual pay supplement to attract bilingual individuals, to
26 encourage present employees to become proficient in languages

1 other than English, or to retain qualified bilingual
2 employees.

3 The positions eligible for a bilingual pay supplement, the
4 amount of the supplement, and the length of time it remains in
5 effect shall be negotiated between the Authority and the
6 appropriate collective bargaining representative as determined
7 under the Illinois Public Labor Relations Act. The bilingual
8 pay supplement may be negotiated for each foreign language,
9 including American Sign Language, required for the position by
10 the Authority's official classification specification.

11 A bilingual pay supplement shall be processed within 30
12 calendar days after the employee presents to the Authority a
13 certification from either: (i) the designated testing program
14 process selected by the Authority; or (ii) a State community
15 college confirming that language skill proficiency in reading,
16 writing, and speaking has been satisfied by the employee.

17 The Authority shall submit, on or before December 31 of
18 each year, to the General Assembly and the Governor a report on
19 the bilingual pay supplements processed within the last
20 calendar year and the needs of bilingual positions left
21 unfilled in the last calendar year.

22 (Source: P.A. 93-19, eff. 6-20-03.)