



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB4114**

Introduced 9/3/2021, by Rep. David Friess

#### SYNOPSIS AS INTRODUCED:

70 ILCS 1830/7.1

from Ch. 19, par. 507.1

Amends the Kaskaskia Regional Port District Act. In provisions concerning the Kaskaskia Port District's rights and powers, provides that the District may own or lease one or more, or a combination or combinations of, industrial buildings, office buildings, buildings to be used as a factory, mill shops, processing plants, packaging plants, assembly plants, fabricating plants, and buildings to be used as warehouses and other storage facilities (currently, only acquire, erect, construct, reconstruct, improve, maintain, and operate such facilities).

LRB102 18997 AWJ 27725 b

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 Kaskaskia Regional Port District Act is  
5 amended by changing Section 7.1 as follows:

6 (70 ILCS 1830/7.1) (from Ch. 19, par. 507.1)

7 Sec. 7.1. Additional rights and powers. The Port District  
8 has the following additional rights and powers:

9 (a) 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;

16 (b) To prevent and remove obstructions in navigable  
17 waters, including the removal of wrecks or vessels; to  
18 recover damages, including attorney fees, for the removal  
19 and clean-up of the site or sites and the surrounding or  
20 downstream environment; these rights and powers shall  
21 include, but are not limited to, emergency powers to seize  
22 wrecks or vessels, remediate damages, and provide for the  
23 disposition of the wrecks or vessels;

1           (c) To locate and establish dock lines and shore or  
2 harbor lines;

3           (d) To regulate the anchorage, moorage and speed of  
4 water borne vessels and to establish and enforce  
5 regulations for the operation of bridges;

6           (e) To acquire, own, construct, lease, operate and  
7 maintain terminals, terminal facilities, port facilities,  
8 transportation equipment facilities, railroads and  
9 marinas, and airport facilities and systems, and to fix  
10 and collect just, reasonable, and non-discriminatory  
11 charges for use of such facilities, equipment and systems.  
12 The charges so collected shall be used to defray the  
13 reasonable expenses of the Port District, and to pay the  
14 principal of and interest on any revenue bonds issued by  
15 the Port District;

16           (f) To operate, maintain, manage, lease, sub-lease,  
17 and to make and enter into contracts for the use,  
18 operation or management of, and to provide rules and  
19 regulations for, the operation, management or use of, any  
20 public port or public port facility;

21           (g) To fix, charge and collect reasonable rentals,  
22 tolls, fees and charges for the use of any public port, or  
23 any part thereof, or any public port facility;

24           (h) To establish, maintain, expand and improve  
25 roadways, railroads, and approaches by land, or water, to  
26 any such terminal, terminal facility and port facilities,

1 and to contract or otherwise provide by condemnation, if  
2 necessary, for the removal of any port, terminal, terminal  
3 facilities and port facility hazards or the removal or  
4 relocation of all private structures, railroads, mains,  
5 pipes, conduits, wires, poles, and all other facilities  
6 and equipment which may interfere with the location,  
7 expansion, development or improvement of ports, terminals,  
8 terminal facilities and port facilities or with the safe  
9 approach thereto, or exit or takeoff therefrom by  
10 vehicles, vessels, barges and other means of  
11 transportation, and to pay the cost of removal or  
12 relocation;

13 (i) To police its physical property only and all  
14 waterways and to exercise police powers in respect thereto  
15 or in respect to the enforcement of any rule or regulation  
16 provided by the ordinances of the District and to employ  
17 and commission police officers and other qualified persons  
18 to enforce such rules and regulations. A regulatory  
19 ordinance of the District adopted under any provisions of  
20 this Section may provide for a suspension or revocation of  
21 any rights or privileges within the control of the  
22 District for a violation of any such regulatory ordinance.

23 (j) To enter into agreements with the corporate  
24 authorities or governing body of any other municipal  
25 corporation or any political subdivision of this State to  
26 pay the reasonable expense of services furnished by such

1           municipal corporation or political subdivision for or on  
2           account of income producing properties of the District;

3           (k) To enter into contracts dealing in any manner with  
4           the objects and purposes of this Act;

5           (l) To acquire, own, lease, mortgage, sell, or  
6           otherwise dispose of interests in and to real property and  
7           improvements situate thereon and in personal property  
8           necessary to fulfill the purposes of the District;

9           (m) To designate the fiscal year for the District;

10          (n) To engage in any activity or operation which is  
11          incidental to and in furtherance of efficient operation to  
12          accomplish the District's primary purpose;

13          (o) 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 and  
17          to permit the directors or trustees of any corporation or  
18          society organized for the erection, construction,  
19          maintenance and operation of an aquarium, museum,  
20          planetarium, climatron or other such edifice to perform  
21          such erection, construction, maintenance and operation on  
22          or within any property now or hereafter owned by or under  
23          the control or supervision of the District; and to  
24          contract with any such directors or trustees relative to  
25          such acquisition, erection, construction, maintenance and  
26          operation and to charge or authorize such directors or

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

4 (p) To do any act which is enumerated in Section  
5 11-74.1-1 of the "Illinois Municipal Code", in the same  
6 manner and form as though the District were a  
7 "municipality" as referred to in such Section;

8 (q) To acquire, own, erect, construct, lease,  
9 reconstruct, improve, maintain and operate one or more, or  
10 a combination or combinations of, industrial buildings,  
11 office buildings, buildings to be used as a factory, mill  
12 shops, processing plants, packaging plants, assembly  
13 plants, fabricating plants, and buildings to be used as  
14 warehouses and other storage facilities.

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

1       acquire, own, construct, lease, operate, develop, and  
2       maintain the systems and services if those systems and  
3       services can be provided by an investor-owned public  
4       utility offering electric or gas services. The public  
5       utility shall provide the District with a written  
6       response, within 30 days after receiving a written request  
7       from the District for those systems or services, stating  
8       whether it will or will not be able to provide the  
9       requested systems or services in accordance with the  
10       Public Utilities Act.

11       (Source: P.A. 99-507, eff. 6-24-16.)