

1 AN ACT in relation to historic preservation.

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

4 Section 5. The Historic Preservation Agency Act is
5 amended by changing Sections 6 and 16 as follows:

6 (20 ILCS 3405/6) (from Ch. 127, par. 2706)

7 Sec. 6. Jurisdiction. The Agency shall have jurisdiction
8 over the following described areas which are hereby
9 designated as State Historic Sites, State Memorials, and
10 Miscellaneous Properties:

11 State Historic Sites

12 Abraham Lincoln Presidential Library and Museum Historic
13 Site, Sangamon County;

14 Apple River Fort State Historic Site, Jo Daviess County;

15 Bishop Hill State Historic Site, Henry County;

16 Black Hawk State Historic Site, Rock Island County;

17 Bryant Cottage State Historic Site, Piatt County;

18 Buel House, Pope County;

19 Cahokia Courthouse State Historic Site, St. Clair County;

20 Cahokia Mounds State Historic Site, in Madison and St.

21 Clair Counties (however, the Illinois State Museum

22 shall act as curator of artifacts pursuant to the

23 provisions of the Archaeological and Paleontological

24 Resources Protection Act);

25 Crenshaw House State Historic Site, Gallatin County;

26 Dana-Thomas House State Historic Site, Sangamon County;

27 David Davis Mansion State Historic Site, McLean County;

28 Douglas Tomb State Historic Site, Cook County;

29 Fort de Chartres State Historic Site, Randolph County;

30 Fort Kaskaskia State Historic Site, Randolph County;

31 Grand Village of the Illinois, LaSalle County;

1 U. S. Grant Home State Historic Site, Jo Daviess County;
 2 Hotel Florence, Cook County;
 3 Jarrot Mansion State Historic Site, St. Clair County;
 4 Jubilee College State Historic Site, Peoria County;
 5 Lincoln-Herndon Law Offices State Historic Site, Sangamon
 6 County;
 7 Lincoln Log Cabin State Historic Site, Coles County;
 8 Lincoln's New Salem State Historic Site, Menard County;
 9 Lincoln Tomb State Historic Site, Sangamon County;
 10 Pierre Menard Home State Historic Site, Randolph County;
 11 Pullman Factory, Cook County;
 12 Martin-Boismenu House State Historic Site, St. Clair
 13 County;
 14 Metamora Courthouse State Historic Site, Woodford County;
 15 Moore Home State Historic Site, Coles County;
 16 Mount Pulaski Courthouse State Historic Site, Logan
 17 County;
 18 Old Market House State Historic Site, Jo Daviess County;
 19 Old State Capitol State Historic Site, Sangamon County;
 20 Postville Courthouse State Historic Site, Logan County;
 21 Rose Hotel, Hardin County;
 22 Carl Sandburg State Historic Site, Knox County;
 23 Shawneetown Bank State Historic Site, Gallatin County;
 24 Sugar Loaf Mound State Historic Site, Madison County;
 25 Union Station State Historic Site, Sangamon County;
 26 Vachel Lindsay Home, Sangamon County;
 27 Vandalia State House State Historic Site, Fayette County;
 28 and
 29 Washburne House State Historic Site, Jo Daviess County.

State Memorials

30
 31 Campbell's Island State Memorial, Rock Island County;
 32 Governor Bond State Memorial, Randolph County;
 33 Governor Coles State Memorial, Madison County;
 34 Governor Horner State Memorial, Cook County;

1 Governor Small State Memorial, Kankakee County;
 2 Illinois Vietnam Veterans State Memorial, Sangamon
 3 County;
 4 Kaskaskia Bell State Memorial, Randolph County;
 5 Korean War Memorial, Sangamon County;
 6 Lewis and Clark State Memorial, Madison County;
 7 Lincoln Monument State Memorial, Lee County;
 8 Lincoln Trail State Memorial, Lawrence County;
 9 Lovejoy State Memorial, Madison County;
 10 Norwegian Settlers State Memorial, LaSalle County; and
 11 Wild Bill Hickok State Memorial, LaSalle County.

Miscellaneous Properties

12 Albany Mounds, Whiteside County;
 13 Emerald Mound, St. Clair County;
 14 Halfway Tavern, Marion County;
 15 Hofmann Tower, Cook County; and
 16 Kincaid Mounds, Massac and Pope Counties.
 17
 18 (Source: P.A. 89-231, eff. 1-1-96; 89-324, eff. 8-13-95;
 19 90-760, eff. 8-14-98.)

(20 ILCS 3405/16) (from Ch. 127, par. 2716)

21 Sec. 16. The Agency shall have the following additional
 22 powers:

23 (a) To hire agents and employees necessary to carry out
 24 the duties and purposes of the Agency.

25 (b) To take all measures necessary to erect, maintain,
 26 preserve, restore, and conserve all State Historic Sites and
 27 State Memorials, except when supervision and maintenance is
 28 otherwise provided by law. This authorization includes the
 29 power to enter into contracts, acquire and dispose of real
 30 and personal property, and enter into leases of real and
 31 personal property.

32 (c) To provide recreational facilities including camp
 33 sites, lodges and cabins, trails, picnic areas and related

1 recreational facilities at all sites under the jurisdiction
2 of the Agency.

3 (d) To lay out, construct and maintain all needful
4 roads, parking areas, paths or trails, bridges, camp or lodge
5 sites, picnic areas, lodges and cabins, and any other
6 structures and improvements necessary and appropriate in any
7 State historic site or easement thereto; and to provide water
8 supplies, heat and light, and sanitary facilities for the
9 public and living quarters for the custodians and keepers of
10 State historic sites.

11 (e) To grant licenses and rights-of-way within the areas
12 controlled by the Agency for the construction, operation and
13 maintenance upon, under or across the property, of facilities
14 for water, sewage, telephone, telegraph, electric, gas, or
15 other public service, subject to the terms and conditions as
16 may be determined by the Agency.

17 (f) To authorize the officers, employees and agents of
18 the Agency, for the purposes of investigation and to exercise
19 the rights, powers, and duties vested and that may be vested
20 in it, to enter and cross all lands and waters in this State,
21 doing no damage to private property.

22 (g) To transfer jurisdiction of or exchange any realty
23 under the control of the Agency to any other Department of
24 the State Government, or to any agency of the Federal
25 Government, or to acquire or accept Federal lands, when any
26 transfer, exchange, acquisition or acceptance is advantageous
27 to the State and is approved in writing by the Governor.

28 (h) To erect, supervise, and maintain all public
29 monuments and memorials erected by the State, except when the
30 supervision and maintenance of public monuments and memorials
31 is otherwise provided by law.

32 (i) To accept, hold, maintain, and administer, as
33 trustee, property given in trust for educational or historic
34 purposes for the benefit of the People of the State of

1 Illinois and to dispose of any property under the terms of
2 the instrument creating the trust.

3 (j) To lease concessions on any property under the
4 jurisdiction of the Agency for a period not exceeding 25
5 years and to lease a concession complex at Lincoln's New
6 Salem State Historic Site for which a cash incentive has been
7 authorized under Section 5.1 of the Historic Preservation
8 Agency Act for a period not to exceed 40 years. All leases,
9 for whatever period, shall be made subject to the written
10 approval of the Governor. All concession leases extending
11 for a period in excess of 10 years, will contain provisions
12 for the Agency to participate, on a percentage basis, in the
13 revenues generated by any concession operation.

14 (k) To sell surplus agricultural products grown on land
15 owned by or under the jurisdiction of the Agency, when the
16 products cannot be used by the Agency.

17 (l) To enforce the laws of the State and the rules and
18 regulations of the Agency in or on any lands owned, leased,
19 or managed by the Agency.

20 (m) To cooperate with private organizations and agencies
21 of the State of Illinois by providing areas and the use of
22 staff personnel where feasible for the sale of publications
23 on the historic and cultural heritage of the State and craft
24 items made by Illinois craftsmen. These sales shall not
25 conflict with existing concession agreements. The Agency is
26 authorized to negotiate with the organizations and agencies
27 for a portion of the monies received from sales to be
28 returned to the Agency's Historic Sites Fund for the
29 furtherance of interpretive and restoration programs.

30 (n) To establish local bank or savings and loan
31 association accounts, upon the written authorization of the
32 Director, to temporarily hold income received at any of its
33 properties. The local accounts established under this Section
34 shall be in the name of the Historic Preservation Agency and

1 shall be subject to regular audits. The balance in a local
2 bank or savings and loan association account shall be
3 forwarded each week to the Agency for deposit with the State
4 Treasurer when on Monday of that each week if the amount to
5 be deposited in a fund exceeds \$500.

6 No bank or savings and loan association shall receive
7 public funds as permitted by this Section, unless it has
8 complied with the requirements established under Section 6 of
9 the Public Funds Investment Act.

10 (o) To accept offers of gifts, gratuities, or grants
11 from the federal government, its agencies, or offices, or
12 from any person, firm, or corporation.

13 (p) To make reasonable rules and regulations as may be
14 necessary to discharge the duties of the Agency.

15 (q) With appropriate cultural organizations, to further
16 and advance the goals of the Agency.

17 (r) To make grants for the purposes of planning, survey,
18 rehabilitation, restoration, reconstruction, landscaping, and
19 acquisition of Illinois properties (i) designated
20 individually in the National Register of Historic Places,
21 (ii) designated as a landmark under a county or municipal
22 landmark ordinance, or (iii) located within a National
23 Register of Historic Places historic district or a locally
24 designated historic district when the Director determines
25 that the property is of historic significance whenever an
26 appropriation is made therefor by the General Assembly or
27 whenever gifts or grants are received for that purpose and to
28 promulgate regulations as may be necessary or desirable to
29 carry out the purposes of the grants.

30 Grantees may, as prescribed by rule, be required to
31 provide matching funds for each grant. Grants made under
32 this subsection shall be known as Illinois Heritage Grants.

33 Every owner of a historic property, or the owner's agent,
34 is eligible to apply for a grant under this subsection.

1 (s) To establish and implement a pilot program for
2 charging admission to State historic sites. Fees may be
3 charged for special events, admissions, and parking or any
4 combination; fees may be charged at all sites or selected
5 sites. All fees shall be deposited into the Illinois Historic
6 Sites Fund. The Agency shall have the discretion to set and
7 adjust reasonable fees at the various sites, taking into
8 consideration various factors including but not limited to:
9 cost of services furnished to each visitor, impact of fees on
10 attendance and tourism and the costs expended collecting the
11 fees. The Agency shall keep careful records of the income
12 and expenses resulting from the imposition of fees, shall
13 keep records as to the attendance at each historic site, and
14 shall report to the Governor and General Assembly by January
15 31 after the close of each year. The report shall include
16 information on costs, expenses, attendance, comments by
17 visitors, and any other information the Agency may believe
18 pertinent, including:

19 (1) Recommendations as to whether fees should be
20 continued at each State historic site.

21 (2) How the fees should be structured and imposed.

22 (3) Estimates of revenues and expenses associated
23 with each site.

24 In the final report to be filed by January 31, 1996, the
25 Agency shall include recommendations as to whether fees
26 should be charged at State historic sites and if so how the
27 fees should be structured and imposed and estimates of
28 revenues and expenses associated with any recommended fees.

29 (t) To provide for overnight tent and trailer campsites
30 and to provide suitable housing facilities for student and
31 juvenile overnight camping groups. The Agency shall charge
32 the same rates charged by the Department of Conservation for
33 the same or similar facilities and services.

34 (u) To engage in marketing activities designed to

1 promote the sites and programs administered by the Agency.
 2 In undertaking these activities, the Agency may take all
 3 necessary steps with respect to products and services,
 4 including but not limited to retail sales, wholesale sales,
 5 direct marketing, mail order sales, telephone sales,
 6 advertising and promotion, purchase of product and materials
 7 inventory, design, printing and manufacturing of new
 8 products, reproductions, and adaptations, copyright and
 9 trademark licensing and royalty agreements, and payment of
 10 applicable taxes. In addition, the Agency shall have the
 11 authority to sell advertising in its publications and printed
 12 materials. All income from marketing activities shall be
 13 deposited into the Illinois Historic Sites Fund.

14 (Source: P.A. 91-202, eff. 1-1-00.)

15 Section 10. The Illinois Historic Preservation Act is
 16 amended by changing Sections 2 and 4 as follows:

17 (20 ILCS 3410/2) (from Ch. 127, par. 133d2)

18 Sec. 2. As used in this Act:

19 (a) "Council" means the Illinois Historic Sites Advisory
 20 Council;

21 (b) "Demolish" means raze, reconstruct or substantially
 22 alter;

23 (c) "Agency" means the Historic Preservation Agency;

24 (d) "Director" means the Director of Historic
 25 Preservation who will serve as the State Historic
 26 Preservation Officer;

27 (e) "Place" means (1) any parcel or contiguous grouping
 28 of parcels of real estate under common or related ownership
 29 or control, where any significant improvements are at least
 30 40 years old, or (2) any aboriginal mound, fort, earthwork,
 31 village, location, burial ground, historic or prehistoric
 32 ruin, mine case or other location which is or may be the

1 source of important archeological data; Land

2 (f) (Blank). "Registered-Illinois-Historic-Place"-means
3 any-place--listed--on--the--"Illinois--Register--of--Historic
4 Places"-pursuant-to-Section-6-of-this-Act;

5 (g) "Person" means any natural person, partnership,
6 corporation, trust, estate, association, body politic,
7 agency, or unit of government and its legal representatives,
8 agents, or assigns; and

9 (h)--"Municipal--Preservation--Agency"--means--any-agency
10 described-in-Section-11-48.2-3--of--the--"Illinois--Municipal
11 Code",--as--now--or--hereafter--amended,--or--any-agency-with
12 similar-authority-created-by--a--municipality--under--Article
13 VII,--Section-6-of-the-Illinois-Constitution.

14 (i)--"Critical-Historic-Feature"-means-those-physical-and
15 environmental-components-which-taken-singly-or-together,--make
16 a--place--eligible--for--designation-as-a-Registered-Illinois
17 Historic-Place.

18 (Source: P.A. 84-25.)

19 (20 ILCS 3410/4) (from Ch. 127, par. 133d4)

20 Sec. 4. In addition to those powers specifically granted
21 or necessary to perform the duties prescribed by this Act,
22 the Council shall have the following powers:

23 (a) to recommend nominations to the National Register of
24 Historic Places;

25 (b) (Blank). to-nominate-places-to-the-Illinois-Register
26 of-Historic-Places;

27 (c) to recommend removal of places from the National
28 Register of Historic Places; and

29 (d) (Blank). to-recommend-removal--of--places--from--the
30 Illinois-Register-of-Historic-Places;

31 (e) (Blank). to--establish--guidelines--determining-the
32 eligibility-for-listing-and-removing-places-on--the--Illinois
33 Register-of-Historic-Places;-and

1 (f) to advise the Agency on matters pertaining to
2 historic preservation.

3 (Source: P.A. 84-25.)

4 (20 ILCS 3410/6 rep.)

5 (20 ILCS 3410/7 rep.)

6 (20 ILCS 3410/8 rep.)

7 (20 ILCS 3410/9 rep.)

8 (20 ILCS 3410/10 rep.)

9 (20 ILCS 3410/11 rep.)

10 (20 ILCS 3410/12 rep.)

11 (20 ILCS 3410/13 rep.)

12 (20 ILCS 3410/14 rep.)

13 Section 15. The Illinois Historic Preservation Act is
14 amended by repealing Sections 6 through 14.

15 (20 ILCS 3425/6 rep.)

16 Section 20. The State Historical Library Act is amended
17 by repealing Section 6.

18 Section 99. Effective date. This Act takes effect on
19 July 1, 2001.