

1 AMENDMENT TO HOUSE BILL 3307

2 AMENDMENT NO. _____. Amend House Bill 3307 on page 1,
3 immediately below line 3, by inserting the following:

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

1 shall act as curator of artifacts pursuant to the
2 provisions of the Archaeological and Paleontological
3 Resources Protection Act);
4 Crenshaw House State Historic Site, Gallatin County;
5 Dana-Thomas House State Historic Site, Sangamon County;
6 David Davis Mansion State Historic Site, McLean County;
7 Douglas Tomb State Historic Site, Cook County;
8 Fort de Chartres State Historic Site, Randolph County;
9 Fort Kaskaskia State Historic Site, Randolph County;
10 Grand Village of the Illinois, LaSalle County;
11 U. S. Grant Home State Historic Site, Jo Daviess County;
12 Hotel Florence, Cook County;
13 Jarrot Mansion State Historic Site, St. Clair County;
14 Jubilee College State Historic Site, Peoria County;
15 Lincoln-Herndon Law Offices State Historic Site, Sangamon
16 County;
17 Lincoln Log Cabin State Historic Site, Coles County;
18 Lincoln's New Salem State Historic Site, Menard County;
19 Lincoln Tomb State Historic Site, Sangamon County;
20 Pierre Menard Home State Historic Site, Randolph County;
21 Pullman Factory, Cook County;
22 Martin-Boismenu House State Historic Site, St. Clair
23 County;
24 Metamora Courthouse State Historic Site, Woodford County;
25 Moore Home State Historic Site, Coles County;
26 Mount Pulaski Courthouse State Historic Site, Logan
27 County;
28 Old Market House State Historic Site, Jo Daviess County;
29 Old State Capitol State Historic Site, Sangamon County;
30 Postville Courthouse State Historic Site, Logan County;
31 Rose Hotel, Hardin County;
32 Carl Sandburg State Historic Site, Knox County;
33 Shawneetown Bank State Historic Site, Gallatin County;
34 Sugar Loaf Mound State Historic Site, Madison County;

1 Union Station State Historic Site, Sangamon County;
 2 Vachel Lindsay Home, Sangamon County;
 3 Vandalia State House State Historic Site, Fayette County;
 4 and
 5 Washburne House State Historic Site, Jo Daviess County.

6 State Memorials

7 Campbell's Island State Memorial, Rock Island County;
 8 Governor Bond State Memorial, Randolph County;
 9 Governor Coles State Memorial, Madison County;
 10 Governor Horner State Memorial, Cook County;
 11 Governor Small State Memorial, Kankakee County;
 12 Illinois Vietnam Veterans State Memorial, Sangamon
 13 County;
 14 Kaskaskia Bell State Memorial, Randolph County;
 15 Korean War Memorial, Sangamon County;
 16 Lewis and Clark State Memorial, Madison County;
 17 Lincoln Monument State Memorial, Lee County;
 18 Lincoln Trail State Memorial, Lawrence County;
 19 Lovejoy State Memorial, Madison County;
 20 Norwegian Settlers State Memorial, LaSalle County; and
 21 Wild Bill Hickok State Memorial, LaSalle County.

22 Miscellaneous Properties

23 Albany Mounds, Whiteside County;
 24 Emerald Mound, St. Clair County;
 25 Halfway Tavern, Marion County;
 26 Hofmann Tower, Cook County; and
 27 Kincaid Mounds, Massac and Pope Counties.

28 (Source: P.A. 89-231, eff. 1-1-96; 89-324, eff. 8-13-95;
 29 90-760, eff. 8-14-98.)

30 (20 ILCS 3405/16) (from Ch. 127, par. 2716)
 31 Sec. 16. The Agency shall have the following additional
 32 powers:

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

3 (b) To take all measures necessary to erect, maintain,
4 preserve, restore, and conserve all State Historic Sites and
5 State Memorials, except when supervision and maintenance is
6 otherwise provided by law. This authorization includes the
7 power to enter into contracts, acquire and dispose of real
8 and personal property, and enter into leases of real and
9 personal property.

10 (c) To provide recreational facilities including camp
11 sites, lodges and cabins, trails, picnic areas and related
12 recreational facilities at all sites under the jurisdiction
13 of the Agency.

14 (d) To lay out, construct and maintain all needful
15 roads, parking areas, paths or trails, bridges, camp or lodge
16 sites, picnic areas, lodges and cabins, and any other
17 structures and improvements necessary and appropriate in any
18 State historic site or easement thereto; and to provide water
19 supplies, heat and light, and sanitary facilities for the
20 public and living quarters for the custodians and keepers of
21 State historic sites.

22 (e) To grant licenses and rights-of-way within the areas
23 controlled by the Agency for the construction, operation and
24 maintenance upon, under or across the property, of facilities
25 for water, sewage, telephone, telegraph, electric, gas, or
26 other public service, subject to the terms and conditions as
27 may be determined by the Agency.

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

33 (g) To transfer jurisdiction of or exchange any realty
34 under the control of the Agency to any other Department of

1 the State Government, or to any agency of the Federal
2 Government, or to acquire or accept Federal lands, when any
3 transfer, exchange, acquisition or acceptance is advantageous
4 to the State and is approved in writing by the Governor.

5 (h) To erect, supervise, and maintain all public
6 monuments and memorials erected by the State, except when the
7 supervision and maintenance of public monuments and memorials
8 is otherwise provided by law.

9 (i) To accept, hold, maintain, and administer, as
10 trustee, property given in trust for educational or historic
11 purposes for the benefit of the People of the State of
12 Illinois and to dispose of any property under the terms of
13 the instrument creating the trust.

14 (j) To lease concessions on any property under the
15 jurisdiction of the Agency for a period not exceeding 25
16 years and to lease a concession complex at Lincoln's New
17 Salem State Historic Site for which a cash incentive has been
18 authorized under Section 5.1 of the Historic Preservation
19 Agency Act for a period not to exceed 40 years. All leases,
20 for whatever period, shall be made subject to the written
21 approval of the Governor. All concession leases extending
22 for a period in excess of 10 years, will contain provisions
23 for the Agency to participate, on a percentage basis, in the
24 revenues generated by any concession operation.

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

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

31 (m) To cooperate with private organizations and agencies
32 of the State of Illinois by providing areas and the use of
33 staff personnel where feasible for the sale of publications
34 on the historic and cultural heritage of the State and craft

1 items made by Illinois craftsmen. These sales shall not
2 conflict with existing concession agreements. The Agency is
3 authorized to negotiate with the organizations and agencies
4 for a portion of the monies received from sales to be
5 returned to the Agency's Historic Sites Fund for the
6 furtherance of interpretive and restoration programs.

7 (n) To establish local bank or savings and loan
8 association accounts, upon the written authorization of the
9 Director, to temporarily hold income received at any of its
10 properties. The local accounts established under this Section
11 shall be in the name of the Historic Preservation Agency and
12 shall be subject to regular audits. The balance in a local
13 bank or savings and loan association account shall be
14 forwarded each week to the Agency for deposit with the State
15 Treasurer when on Monday of that each week if the amount to
16 be deposited in a fund exceeds \$500.

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

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

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

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

28 (r) To make grants for the purposes of planning, survey,
29 rehabilitation, restoration, reconstruction, landscaping, and
30 acquisition of Illinois properties (i) designated
31 individually in the National Register of Historic Places,
32 (ii) designated as a landmark under a county or municipal
33 landmark ordinance, or (iii) located within a National
34 Register of Historic Places historic district or a locally

1 designated historic district when the Director determines
2 that the property is of historic significance whenever an
3 appropriation is made therefor by the General Assembly or
4 whenever gifts or grants are received for that purpose and to
5 promulgate regulations as may be necessary or desirable to
6 carry out the purposes of the grants.

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

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

12 (s) To establish and implement a pilot program for
13 charging admission to State historic sites. Fees may be
14 charged for special events, admissions, and parking or any
15 combination; fees may be charged at all sites or selected
16 sites. All fees shall be deposited into the Illinois Historic
17 Sites Fund. The Agency shall have the discretion to set and
18 adjust reasonable fees at the various sites, taking into
19 consideration various factors including but not limited to:
20 cost of services furnished to each visitor, impact of fees on
21 attendance and tourism and the costs expended collecting the
22 fees. The Agency shall keep careful records of the income
23 and expenses resulting from the imposition of fees, shall
24 keep records as to the attendance at each historic site, and
25 shall report to the Governor and General Assembly by January
26 31 after the close of each year. The report shall include
27 information on costs, expenses, attendance, comments by
28 visitors, and any other information the Agency may believe
29 pertinent, including:

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

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

33 (3) Estimates of revenues and expenses associated
34 with each site.

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

6 (t) To provide for overnight tent and trailer campsites
7 and to provide suitable housing facilities for student and
8 juvenile overnight camping groups. The Agency shall charge
9 the same rates charged by the Department of Conservation for
10 the same or similar facilities and services.

11 (u) To engage in marketing activities designed to
12 promote the sites and programs administered by the Agency.
13 In undertaking these activities, the Agency may take all
14 necessary steps with respect to products and services,
15 including but not limited to retail sales, wholesale sales,
16 direct marketing, mail order sales, telephone sales,
17 advertising and promotion, purchase of product and materials
18 inventory, design, printing and manufacturing of new
19 products, reproductions, and adaptations, copyright and
20 trademark licensing and royalty agreements, and payment of
21 applicable taxes. In addition, the Agency shall have the
22 authority to sell advertising in its publications and printed
23 materials. All income from marketing activities shall be
24 deposited into the Illinois Historic Sites Fund.

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

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

28 (20 ILCS 3410/2) (from Ch. 127, par. 133d2)

29 Sec. 2. As used in this Act:

30 (a) "Council" means the Illinois Historic Sites Advisory
31 Council;

32 (b) "Demolish" means raze, reconstruct or substantially

1 alter;

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

3 (d) "Director" means the Director of Historic
4 Preservation who will serve as the State Historic
5 Preservation Officer;

6 (e) "Place" means (1) any parcel or contiguous grouping
7 of parcels of real estate under common or related ownership
8 or control, where any significant improvements are at least
9 40 years old, or (2) any aboriginal mound, fort, earthwork,
10 village, location, burial ground, historic or prehistoric
11 ruin, mine case or other location which is or may be the
12 source of important archeological data; Land

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

16 (g) "Person" means any natural person, partnership,
17 corporation, trust, estate, association, body politic,
18 agency, or unit of government and its legal representatives,
19 agents, or assigns; and

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

25 (i) "Critical-Historic-Feature"--means--those--physical--and
26 environmental--components--which--taken--singly--or--together,--make
27 a--place--eligible--for--designation--as--a--Registered--Illinois
28 Historic-Place.

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

30 (20 ILCS 3410/4) (from Ch. 127, par. 133d4)

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

1 (a) to recommend nominations to the National Register of
2 Historic Places;

3 (b) ~~to nominate places to the Illinois Register of~~
4 ~~Historic Places;~~

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

7 (d) (Blank). ~~to recommend removal of places from the~~
8 ~~Illinois Register of Historic Places;~~

9 (e) (Blank). ~~to establish guidelines determining the~~
10 ~~eligibility for listing and removing places on the Illinois~~
11 ~~Register of Historic Places; and~~

12 (f) to advise the Agency on matters pertaining to
13 historic preservation.

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

15 (20 ILCS 3410/6 rep.)

16 (20 ILCS 3410/7 rep.)

17 (20 ILCS 3410/8 rep.)

18 (20 ILCS 3410/9 rep.)

19 (20 ILCS 3410/10 rep.)

20 (20 ILCS 3410/11 rep.)

21 (20 ILCS 3410/12 rep.)

22 (20 ILCS 3410/13 rep.)

23 (20 ILCS 3410/14 rep.)

24 Section 15. The Illinois Historic Preservation Act is
25 amended by repealing Sections 6 through 14."; and

26 on page 1, line 5, by replacing "Section 5." with "Section
27 20.".