

1 AMENDMENT TO SENATE BILL 1944

2 AMENDMENT NO. _____. Amend Senate Bill 1944 by replacing
3 the title with the following:

4 "AN ACT concerning port districts."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Tri-City Regional Port District Act is
8 amended by changing Section 4 as follows:

9 (70 ILCS 1860/4) (from Ch. 19, par. 287)

10 Sec. 4. The Port District has the following rights and
11 powers:

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

1 waterway which serves as a boundary between the State of
2 Illinois and any other State, when such erection, operation
3 or maintenance is performed by any city within the District;

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

6 3. To locate and establish dock lines and shore or
7 harbor lines;

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

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

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

31 7. To sell, assign, pledge or hypothecate in whole or in
32 part any contract, lease, income, charges, tolls, rentals or
33 fees of the District to provide short term interim financing
34 pending the issuance of revenue bonds by the District,

1 provided that when such revenue bonds are issued, such
2 contracts, leases, income, charges, tolls, rentals or fees
3 shall be used to defray the reasonable expenses of the Port
4 District and pay the principal of and income on any revenue
5 bonds issued by the District;

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

24 9. To create, establish, maintain and operate a public
25 incinerator for waste disposal by incineration by any means
26 or method, for use by municipalities for the disposal of
27 municipal wastes and by industries for the disposal of
28 industrial waste; and to lease land and said incineration
29 facilities for the operation of an incinerator for a term not
30 exceeding 99 years and to fix and collect just, reasonable
31 and non-discriminatory charges for the use of such
32 incinerating facilities, and to use the charges or lease
33 proceeds to defray the reasonable expenses of the Port
34 District, and to pay the principal of and interest on any

1 revenue bonds issued by the Port District.

2 10. To locate, establish and maintain a public airport,
3 public airports and public airport facilities within its
4 corporate limits or within or upon any body of water adjacent
5 thereto, and to construct, develop, expand, extend and
6 improve any such airport or airport facilities;

7 11. To operate, maintain, manage, lease or sublease for
8 any period not exceeding 99 years, and to make and enter into
9 contracts for the use, operation or management of, and to
10 provide rules and regulations for, the operation, management
11 or use of, any public airport or public airport facility;

12 12. To fix, charge and collect reasonable rentals,
13 tolls, fees, and charges for the use of any public airport,
14 or any part thereof, or any public airport facility;

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

30 14. To restrict the height of any object of natural
31 growth or structure or structures within the vicinity of any
32 airport or within the lines of an approach to any airport
33 and, when necessary, for the reduction in the height of any
34 such existing object or structure, to enter into an agreement

1 for such reduction or to accomplish same by condemnation;

2 15. To agree with the state or federal governments or
3 with any public agency in respect to the removal and
4 relocation of any object of natural growth, airport hazard or
5 any structure or building within the vicinity of any airport
6 or within an approach and which is owned or within the
7 control of such government or agency and to pay all or an
8 agreed portion of the cost of such removal or relocation;

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

22 17. To police its physical property only and all
23 waterways and to exercise police powers in respect thereto or
24 in respect to the enforcement of any rule or regulation
25 provided by the ordinances of the District and to employ and
26 commission police officers and other qualified persons to
27 enforce the same. The use of any such public airport or
28 public airport facility of the District shall be subject to
29 the reasonable regulation and control of the District and
30 upon such reasonable terms and conditions as shall be
31 established by its Board. A regulatory ordinance of the
32 District adopted under any provision of this Section may
33 provide for a suspension or revocation of any rights or
34 privileges within the control of the District for a violation

1 of any such regulatory ordinance. Nothing in this Section or
2 in other provisions of this Act shall be construed to
3 authorize such Board to establish or enforce any regulation
4 or rule in respect to aviation, or the operation or
5 maintenance of any airport facility within its jurisdiction,
6 which is in conflict with any federal or state law or
7 regulation applicable to the same subject matter;

8 18. To enter into agreements with the corporate
9 authorities or governing body of any other municipal
10 corporation or any political subdivision of this State to pay
11 the reasonable expense of services furnished by such
12 municipal corporation or political subdivision for or on
13 account of income producing properties of the District;

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

16 20. To acquire, own, lease, sell or otherwise dispose of
17 interests in and to real property and improvements situate
18 thereon and in personal property necessary to fulfill the
19 purposes of the District;

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

21 22. To engage in any activity or operation which is
22 incidental to and in furtherance of efficient operation to
23 accomplish the District's primary purpose;:-

24 23. To apply to proper authorities of the United States
25 of America pursuant to appropriated Federal Law for the right
26 to establish, operate, maintain and lease foreign trade zones
27 and sub-zones within the limits of the Tri-City Regional Port
28 District or within the jurisdiction of the United States
29 Customs Service Office of the St. Louis Port of Entry and to
30 establish, operate, maintain and lease such foreign trade
31 zones and the sub-zones;:-

32 24. To operate, maintain, manage, lease, or sublease for
33 any period not exceeding 99 years any former military base
34 owned or leased by the District and within its jurisdictional

1 boundaries, to make and enter into any contract for the use,
2 operation, or management of any former military base owned or
3 leased by the District and located within its jurisdictional
4 boundaries, and to provide rules and regulations for the
5 development, redevelopment, and expansion of any former
6 military base owned or leased by the District and located
7 within its jurisdictional boundaries;

8 25. To locate, establish, re-establish, expand or renew,
9 construct or reconstruct, operate, and maintain any facility,
10 building, structure, or improvement for a use or a purpose
11 consistent with any use or purpose of any former military
12 base owned or leased by the District and located within its
13 jurisdictional boundaries;

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

24 27. To cause to be incorporated one or more subsidiary
25 business corporations, wholly-owned by the District, to own,
26 operate, maintain, and manage facilities and services related
27 to any telephone system, pursuant to paragraph 26. A
28 subsidiary corporation formed pursuant to this paragraph
29 shall (i) be deemed a telecommunications carrier, as that
30 term is defined in Section 13-202 of the Public Utilities
31 Act, (ii) have the right to apply to the Illinois Commerce
32 Commission for a Certificate of Service Authority or a
33 Certificate of Interexchange Service Authority, and (iii)
34 have the powers necessary to carry out lawful orders of the

1 Illinois Commerce Commission;

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

12 (Source: P.A. 83-690.)".