



State Government Administration Committee

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LRB096 02981 JAM 23316 a

1 AMENDMENT TO HOUSE BILL 37

2 AMENDMENT NO. _____. Amend House Bill 37 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Lease
5 of Closed State Properties Act.

6 Section 5. Definitions. As used in this Act:

7 "Agency" means the Illinois Historic Preservation Agency.

8 "Department" means the Department of Natural Resources.

9 "Local entity" means a unit of local government or public
10 college or university located in Illinois.

11 Section 10. Lease of closed State properties.

12 (a) Notwithstanding any other law, the Department and the
13 Agency shall each offer to qualified interested local entities
14 the opportunity to assume the operation and maintenance of any
15 closed State park or closed State historic site, under the

1 Department's or Agency's jurisdiction, through a lease with
2 terms established by the Department or Agency. The Department
3 and Agency may reject any offer and may select an interested
4 local entity after a request for offers or request for
5 proposals process. The Department or Agency may determine that
6 a particular park or site, due to the value of the artifacts or
7 exhibits or due to security issues or other operational
8 concerns, shall not be considered for leasing. The lease shall
9 be awarded to the highest bidder that the Department or Agency
10 deems to be the most qualified to operate and maintain the park
11 or site.

12 (b) The period of any lease under this Act shall be agreed
13 upon by the parties but may not be for a period less than one
14 year or longer than 5 years. The lease agreement may provide
15 for special care of artifacts or storage of certain artifacts,
16 or exclusion of all artifacts when determined appropriate by
17 the Department or Agency.

18 (c) All revenues generated by a local entity's operation of
19 a park or site during a lease under this Act shall be retained
20 by that local entity and must be used for the operation,
21 maintenance, or operation and maintenance of that park or site.

22 (d) Upon expiration or termination of a lease under this
23 Act, the local entity shall be reimbursed by the Department or
24 Agency, as the case may be, for the undepreciated portion of
25 any improvements to the park or site made or paid for by the
26 local entity during the period of the lease. All improvements

1 shall be subject to the advance written approval of the
2 Department or Agency.

3 (e) This Act is subject to and superseded by any federal
4 law, regulation, condition, or stipulation prohibiting the
5 lease of a park or site.

6 Section 15. Collective bargaining work. A lessee under this
7 Act shall contract with the State for all work that, if
8 performed by employees of the State, would be performed by
9 employees, as defined in the Illinois Public Labor Relations
10 Act. The State shall be the employer of all non-managerial,
11 non-supervisory, and non-confidential employees, as defined in
12 the Illinois Public Labor Relations Act. Employees performing
13 such work shall be State employees as defined by the Personnel
14 Code. Neither historical representation rights under the
15 Illinois Public Labor Relations Act nor existing collective
16 bargaining agreements shall be disturbed by the lease of a
17 State park or State historic site.

18 Section 20. Termination. The Department or Agency may
19 terminate a lease if the Department or Agency does not believe
20 the State park or historic site is being adequately maintained
21 or operated or if the Department or Agency is able to resume
22 operation and maintenance of the State park or historic site.

23 Section 25. Repeal. This Act is repealed December 31, 2014.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".