

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 Township Code is amended by changing Section
5 85-30 as follows:

6 (60 ILCS 1/85-30)

7 Sec. 85-30. Purchases; bids. Any purchase by a township for
8 services, materials, equipment, or supplies in excess of
9 \$20,000 (other than professional services) shall be contracted
10 for in one of the following ways:

11 (1) By a contract let to the lowest responsible bidder
12 after advertising for bids at least once (i) in a newspaper
13 published within the township, or (ii) if no newspaper is
14 published within the township, then in one published within
15 the county, or (iii) if no newspaper is published within
16 the county, then in a newspaper having general circulation
17 within the township.

18 (2) By a contract let without advertising for bids in
19 the case of an emergency if authorized by the township
20 board.

21 (3) By a contract let without advertising for bids for
22 the purchase of equipment manufactured by a single source
23 if authorized by a majority vote of 4 of the 5 members of

1 the township board then holding office and the adoption of
2 a resolution to that effect.

3 This Section does not apply to contracts by a township with
4 the federal government.

5 (Source: P.A. 94-435, eff. 8-2-05.)

6 Section 10. The Kaskaskia Regional Port District Act is
7 amended by changing Sections 1.1, 3, 6, 7.1, 14, and 20.2 as
8 follows:

9 (70 ILCS 1830/1.1)

10 Sec. 1.1. Purpose. The General Assembly declares that the
11 main purpose of this Act is to promote industrial, commercial,
12 transportation, homeland security, recreation, water supply,
13 flood control, and economic activities thereby reducing the
14 evils attendant upon unemployment and enhancing the public
15 health, safety, and welfare of this State.

16 (Source: P.A. 90-785, eff. 1-1-99.)

17 (70 ILCS 1830/3) (from Ch. 19, par. 503)

18 Sec. 3. There is created a political subdivision body
19 politic and municipal corporation, named "Kaskaskia Regional
20 Port District" embracing all of Monroe and Randolph Counties
21 and Freeburg, Millstadt, Smithton, Prairie Du Long, New Athens,
22 Marissa, Fayetteville, Engleman, Mascoutah, Shiloh Valley and
23 Lenzburg Townships of St. Clair County. The Port District may

1 sue and be sued in its corporate name but execution shall not
2 in any case issue against any property owned by the Port
3 District except for Port District property that the Port
4 District pledged as collateral to a bank or other financial
5 institution to secure a bank loan. It may adopt a common seal
6 and change the same at pleasure. The principal office of the
7 Port District shall be in the city of Red Bud ~~Chester~~,
8 Illinois.

9 No rights, duties or privileges of such District, or those
10 of any person, existing before the change of name shall be
11 affected by the change provided by this amendatory Act of 1967.
12 All proceedings pending in any court in favor of or against
13 such District may continue to final consummation under the name
14 in which they were commenced.

15 (Source: P.A. 80-1495.)

16 (70 ILCS 1830/6) (from Ch. 19, par. 506)

17 Sec. 6. The Port District has the following functions,
18 powers and duties:

19 (a) to study the existing harbor facilities within the area
20 of the Port District and to recommend to an appropriate
21 governmental agency, including the General Assembly of
22 Illinois, such changes and modifications as may from time to
23 time be required for continuing development therein and to meet
24 changing business and commercial needs;

25 (b) to make an investigation of conditions within the Port

1 District and to prepare and adopt a comprehensive plan for the
2 development of port facilities for the Port District. In
3 preparing and recommending changes and modifications in
4 existing harbor facilities, or a comprehensive plan for the
5 development of such port facilities, as above provided, the
6 Port District if it deems desirable may set aside and allocate
7 an area or areas, within the lands owned by it, to be leased to
8 private parties for industrial, manufacturing, commercial, or
9 harbor purposes, where such area or areas in the opinion of the
10 Board, are not required for primary purposes in the development
11 of harbor and port facilities for the use of public water and
12 land transportation, or will not be needed immediately for such
13 purposes, and where such leasing in the opinion of the Board
14 will aid and promote the development of terminal and port
15 facilities;

16 (c) to study and make recommendations to the proper
17 authority for the improvement of terminal, lighterage,
18 wharfage, warehousing, anchorage, transfer and other
19 facilities necessary for the promotion of commerce and the
20 interchange of traffic within, to and from the Port District;

21 (d) to study, prepare and recommend by specific proposals
22 to the General Assembly of Illinois changes in the jurisdiction
23 of the Port District;

24 (e) to petition any federal, state, municipal or local
25 authority, administrative, judicial and legislative, having
26 jurisdiction in the premises, for the adoption and execution of

1 any physical improvement, change in method, system of handling
2 freight, warehousing, docking, lightering and transfer of
3 freight, which in the opinion of the Board are designed to
4 improve or better the handling of commerce in and through the
5 Port District or improve terminal or transportation facilities
6 therein; ~~and-~~

7 (f) to petition any federal, state, or local authority,
8 including administrative, judicial, and legislative branches,
9 having jurisdiction for the adoption and execution of any
10 physical improvement or operation related to the management of
11 fish and wildlife, recreation, water supply, or flood control
12 which in the opinion of the Board is for the purpose of
13 improving or bettering the quality of life in the Port District
14 or add to the diversity of amenities related to that purpose.

15 (Source: Laws 1965, p. 1013.)

16 (70 ILCS 1830/7.1) (from Ch. 19, par. 507.1)

17 Sec. 7.1. Additional rights and powers. The Port District
18 has the following additional rights and powers:

19 (a) To issue permits for the construction of all wharves,
20 piers, dolphins, booms, weirs, breakwaters, bulkheads,
21 jetties, bridges or other structures of any kind, over, under,
22 in, or within 40 feet of any navigable waters within the Port
23 District, for the deposit of rock, earth, sand or other
24 material, or any matter of any kind or description in such
25 waters;

1 (b) To prevent and remove obstructions in navigable waters,
2 including the removal of wrecks or vessels; to recover damages,
3 including attorney fees, for the removal and clean-up of the
4 site or sites and the surrounding or downstream environment;
5 these rights and powers shall include, but are not limited to,
6 emergency powers to seize wrecks or vessels, remediate damages,
7 and provide for the disposition of the wrecks or vessels;

8 (c) To locate and establish dock lines and shore or harbor
9 lines;

10 (d) To regulate the anchorage, moorage and speed of water
11 borne vessels and to establish and enforce regulations for the
12 operation of bridges;

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

22 (f) To operate, maintain, manage, lease, sub-lease, and to
23 make and enter into contracts for the use, operation or
24 management of, and to provide rules and regulations for, the
25 operation, management or use of, any public port or public port
26 facility;

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

4 (h) To establish, maintain, expand and improve roadways,
5 railroads, and approaches by land, or water, to any such
6 terminal, terminal facility and port facilities, and to
7 contract or otherwise provide by condemnation, if necessary,
8 for the removal of any port, terminal, terminal facilities and
9 port facility hazards or the removal or relocation of all
10 private structures, railroads, mains, pipes, conduits, wires,
11 poles, and all other facilities and equipment which may
12 interfere with the location, expansion, development or
13 improvement of ports, terminals, terminal facilities and port
14 facilities or with the safe approach thereto, or exit or
15 takeoff therefrom by vehicles, vessels, barges and other means
16 of transportation, and to pay the cost of removal or
17 relocation;

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

1 ordinance.

2 (j) To enter into agreements with the corporate authorities
3 or governing body of any other municipal corporation or any
4 political subdivision of this State to pay the reasonable
5 expense of services furnished by such municipal corporation or
6 political subdivision for or on account of income producing
7 properties of the District;

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

10 (l) To acquire, own, lease, mortgage, sell, or otherwise
11 dispose of interests in and to real property and improvements
12 situate thereon and in personal property necessary to fulfill
13 the purposes of the District;

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

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

18 (o) To acquire, erect, construct, maintain and operate
19 aquariums, museums, planetariums, climatrons and other
20 edifices for the collection and display of objects pertaining
21 to natural history or the arts and sciences and to permit the
22 directors or trustees of any corporation or society organized
23 for the erection, construction, maintenance and operation of an
24 aquarium, museum, planetarium, climatron or other such edifice
25 to perform such erection, construction, maintenance and
26 operation on or within any property now or hereafter owned by

1 or under the control or supervision of the District; and to
2 contract with any such directors or trustees relative to such
3 acquisition, erection, construction, maintenance and operation
4 and to charge or authorize such directors or trustees to charge
5 an admission fee, the proceeds of which shall be devoted
6 exclusively to such erection, construction, maintenance and
7 operation;

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

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

19 (r) To acquire, own, construct, lease or contract for any
20 period not exceeding 99 years, operate, develop, and maintain
21 Port District water and sewage systems and other utility
22 systems and services, including, but not limited to, pipes,
23 mains, lines, sewers, pumping stations, settling tanks,
24 treatment plants, water purification equipment, wells, storage
25 facilities, lines, and all other equipment, material, and
26 facilities necessary to those systems, for the use, upon

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

13 (Source: P.A. 90-785, eff. 1-1-99.)

14 (70 ILCS 1830/14) (from Ch. 19, par. 514)

15 Sec. 14. The District has power to acquire and accept by
16 purchase, lease, gift, grant or otherwise any property and
17 rights useful for its purposes and to provide for the
18 development of channels, ports, harbors, airports, airfields,
19 terminals, port facilities, terminal facilities, trails, and
20 other transportation facilities within the Port District
21 adequate to serve the needs of commerce within the area served
22 by the Port District. The Port District may acquire real or
23 personal property or any rights therein in the manner, as near
24 as may be, as is provided for the exercise of the right of
25 eminent domain under the Eminent Domain Act, except that no

1 property owned by any municipality within the Port District
2 shall be taken or appropriated without first obtaining consent
3 of the governing body of such municipality.

4 (Source: P.A. 94-1055, eff. 1-1-07.)

5 (70 ILCS 1830/20.2)

6 Sec. 20.2. Authorization to borrow moneys. The District's
7 Board may borrow money from any bank or other financial
8 institution and may provide appropriate security, including
9 mortgaging real estate, for that borrowing, if the money is
10 repaid within 20 ~~3~~ years after the money is borrowed.
11 "Financial institution" means any bank subject to the Illinois
12 Banking Act, any savings and loan association subject to the
13 Illinois Savings and Loan Act of 1985, any savings bank subject
14 to the Savings Bank Act, and any federally chartered commercial
15 bank or savings and loan association organized and operated in
16 this State pursuant to the laws of the United States.

17 (Source: P.A. 94-562, eff. 1-1-06.)