



Sen. Mattie Hunter

Filed: 3/26/2021

10200SB1850sam001

LRB102 14741 AWJ 23490 a

1 AMENDMENT TO SENATE BILL 1850

2 AMENDMENT NO. _____. Amend Senate Bill 1850 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Pier and Exposition Authority
5 Act is amended by changing Sections 5 and 18 as follows:

6 (70 ILCS 210/5) (from Ch. 85, par. 1225)

7 Sec. 5. The Metropolitan Pier and Exposition Authority
8 shall also have the following rights and powers:

9 (a) To accept from Chicago Park Fair, a corporation,
10 an assignment of whatever sums of money it may have
11 received from the Fair and Exposition Fund, allocated by
12 the Department of Agriculture of the State of Illinois,
13 and Chicago Park Fair is hereby authorized to assign, set
14 over and transfer any of those funds to the Metropolitan
15 Pier and Exposition Authority. The Authority has the right
16 and power hereafter to receive sums as may be distributed

1 to it by the Department of Agriculture of the State of
2 Illinois from the Fair and Exposition Fund pursuant to the
3 provisions of Sections 5, 6i, and 28 of the State Finance
4 Act. All sums received by the Authority shall be held in
5 the sole custody of the secretary-treasurer of the
6 Metropolitan Pier and Exposition Board.

7 (b) To accept the assignment of, assume and execute
8 any contracts heretofore entered into by Chicago Park
9 Fair.

10 (c) To acquire, own, construct, equip, lease, operate
11 and maintain grounds, buildings and facilities to carry
12 out its corporate purposes and duties, and to carry out or
13 otherwise provide for the recreational, cultural,
14 commercial or residential development of Navy Pier, and to
15 fix and collect just, reasonable and nondiscriminatory
16 charges for the use thereof. The charges so collected
17 shall be made available to defray the reasonable expenses
18 of the Authority and to pay the principal of and the
19 interest upon any revenue bonds issued by the Authority.
20 The Authority shall be subject to and comply with the Lake
21 Michigan and Chicago Lakefront Protection Ordinance, the
22 Chicago Building Code, the Chicago Zoning Ordinance, and
23 all ordinances and regulations of the City of Chicago
24 contained in the following Titles of the Municipal Code of
25 Chicago: Businesses, Occupations and Consumer Protection;
26 Health and Safety; Fire Prevention; Public Peace, Morals

1 and Welfare; Utilities and Environmental Protection;
2 Streets, Public Ways, Parks, Airports and Harbors;
3 Electrical Equipment and Installation; Housing and
4 Economic Development (only Chapter 5-4 thereof); and
5 Revenue and Finance (only so far as such Title pertains to
6 the Authority's duty to collect taxes on behalf of the
7 City of Chicago).

8 (d) To enter into contracts treating in any manner
9 with the objects and purposes of this Act.

10 (e) To lease any buildings to the Adjutant General of
11 the State of Illinois for the use of the Illinois National
12 Guard or the Illinois Naval Militia.

13 (f) To exercise the right of eminent domain by
14 condemnation proceedings in the manner provided by the
15 Eminent Domain Act, including, with respect to Site B
16 only, the authority to exercise quick take condemnation by
17 immediate vesting of title under Article 20 of the Eminent
18 Domain Act, to acquire any privately owned real or
19 personal property and, with respect to Site B only, public
20 property used for rail transportation purposes (but no
21 such taking of such public property shall, in the
22 reasonable judgment of the owner, interfere with such rail
23 transportation) for the lawful purposes of the Authority
24 in Site A, at Navy Pier, and at Site B. Just compensation
25 for property taken or acquired under this paragraph shall
26 be paid in money or, notwithstanding any other provision

1 of this Act and with the agreement of the owner of the
2 property to be taken or acquired, the Authority may convey
3 substitute property or interests in property or enter into
4 agreements with the property owner, including leases,
5 licenses, or concessions, with respect to any property
6 owned by the Authority, or may provide for other lawful
7 forms of just compensation to the owner. Any property
8 acquired in condemnation proceedings shall be used only as
9 provided in this Act. Except as otherwise provided by law,
10 the City of Chicago shall have a right of first refusal
11 prior to any sale of any such property by the Authority to
12 a third party other than substitute property. The
13 Authority shall develop and implement a relocation plan
14 for businesses displaced as a result of the Authority's
15 acquisition of property. The relocation plan shall be
16 substantially similar to provisions of the Uniform
17 Relocation Assistance and Real Property Acquisition Act
18 and regulations promulgated under that Act relating to
19 assistance to displaced businesses. To implement the
20 relocation plan the Authority may acquire property by
21 purchase or gift or may exercise the powers authorized in
22 this subsection (f), except the immediate vesting of title
23 under Article 20 of the Eminent Domain Act, to acquire
24 substitute private property within one mile of Site B for
25 the benefit of displaced businesses located on property
26 being acquired by the Authority. However, no such

1 substitute property may be acquired by the Authority
2 unless the mayor of the municipality in which the property
3 is located certifies in writing that the acquisition is
4 consistent with the municipality's land use and economic
5 development policies and goals. The acquisition of
6 substitute property is declared to be for public use. In
7 exercising the powers authorized in this subsection (f),
8 the Authority shall use its best efforts to relocate
9 businesses within the area of McCormick Place or, failing
10 that, within the City of Chicago.

11 (g) To enter into contracts relating to construction
12 projects which provide for the delivery by the contractor
13 of a completed project, structure, improvement, or
14 specific portion thereof, for a fixed maximum price, which
15 contract may provide that the delivery of the project,
16 structure, improvement, or specific portion thereof, for
17 the fixed maximum price is insured or guaranteed by a
18 third party capable of completing the construction.

19 (h) To enter into agreements with any person with
20 respect to the use and occupancy of the grounds,
21 buildings, and facilities of the Authority, including
22 concession, license, and lease agreements on terms and
23 conditions as the Authority determines. Notwithstanding
24 Section 24, agreements with respect to the use and
25 occupancy of the grounds, buildings, and facilities of the
26 Authority for a term of more than one year shall be entered

1 into in accordance with the procurement process provided
2 for in Section 25.1.

3 (i) To enter into agreements with any person with
4 respect to the operation and management of the grounds,
5 buildings, and facilities of the Authority or the
6 provision of goods and services on terms and conditions as
7 the Authority determines.

8 (j) After conducting the procurement process provided
9 for in Section 25.1, to enter into one or more contracts to
10 provide for the design and construction of all or part of
11 the Authority's Expansion Project grounds, buildings, and
12 facilities. Any contract for design and construction of
13 the Expansion Project shall be in the form authorized by
14 subsection (g), shall be for a fixed maximum price not in
15 excess of the funds that are authorized to be made
16 available for those purposes during the term of the
17 contract, and shall be entered into before commencement of
18 construction.

19 (k) To enter into agreements, including project
20 agreements with labor unions, that the Authority deems
21 necessary to complete the Expansion Project or any other
22 construction or improvement project in the most timely and
23 efficient manner and without strikes, picketing, or other
24 actions that might cause disruption or delay and thereby
25 add to the cost of the project.

26 (l) To provide incentives to organizations and

1 entities that agree to make use of the grounds, buildings,
2 and facilities of the Authority for conventions, meetings,
3 or trade shows. The incentives may take the form of
4 discounts from regular fees charged by the Authority,
5 subsidies for or assumption of the costs incurred with
6 respect to the convention, meeting, or trade show, or
7 other inducements. The Authority shall award incentives to
8 attract or retain large ~~large~~ conventions, meetings, and trade
9 shows ~~to its facilities~~ under the terms set forth in this
10 subsection (1) from amounts appropriated to the Authority
11 from the Metropolitan Pier and Exposition Authority
12 Incentive Fund for this purpose.

13 No later than May 15 of each year, the Chief Executive
14 Officer of the Metropolitan Pier and Exposition Authority
15 shall certify to the State Comptroller and the State
16 Treasurer the amounts of incentive grant funds used during
17 the current fiscal year to provide incentives for
18 conventions, meetings, or trade shows that (i) have been
19 approved by the Authority, in consultation with an
20 organization meeting the qualifications set out in Section
21 5.6 of this Act, provided the Authority has entered into a
22 marketing agreement with such an organization, (ii) (A)
23 for fiscal years prior to 2022 and after 2024, demonstrate
24 registered attendance in excess of 5,000 individuals or in
25 excess of 10,000 individuals, as appropriate; (B) for
26 fiscal years 2022 through 2024, demonstrate registered

1 attendance in excess of 3,000 individuals or in excess of
2 5,000 individuals, as appropriate; or (C) for fiscal years
3 2022 and 2023, regardless of registered attendance,
4 demonstrate incurrence of costs associated with mitigation
5 of COVID-19, including, but not limited to, costs for
6 testing and screening, contact tracing and notification,
7 personal protective equipment, and other physical,
8 structural, and organizational costs, and (iii) in the
9 case of subsections (ii) (A) and (B), but for the
10 incentive, would not have used the facilities of the
11 Authority for the convention, meeting, or trade show. The
12 State Comptroller may request that the Auditor General
13 conduct an audit of the accuracy of the certification. If
14 the State Comptroller determines by this process of
15 certification that incentive funds, in whole or in part,
16 were disbursed by the Authority by means other than in
17 accordance with the standards of this subsection (1), then
18 any amount transferred to the Metropolitan Pier and
19 Exposition Authority Incentive Fund shall be reduced
20 during the next subsequent transfer in direct proportion
21 to that amount determined to be in violation of the terms
22 set forth in this subsection (1).

23 On July 15, 2012, the Comptroller shall order
24 transferred, and the Treasurer shall transfer, into the
25 Metropolitan Pier and Exposition Authority Incentive Fund
26 from the General Revenue Fund the sum of \$7,500,000 plus

1 an amount equal to the incentive grant funds certified by
2 the Chief Executive Officer as having been lawfully paid
3 under the provisions of this Section in the previous 2
4 fiscal years that have not otherwise been transferred into
5 the Metropolitan Pier and Exposition Authority Incentive
6 Fund, provided that transfers in excess of \$15,000,000
7 shall not be made in any fiscal year.

8 On July 15, 2013, the Comptroller shall order
9 transferred, and the Treasurer shall transfer, into the
10 Metropolitan Pier and Exposition Authority Incentive Fund
11 from the General Revenue Fund the sum of \$7,500,000 plus
12 an amount equal to the incentive grant funds certified by
13 the Chief Executive Officer as having been lawfully paid
14 under the provisions of this Section in the previous
15 fiscal year that have not otherwise been transferred into
16 the Metropolitan Pier and Exposition Authority Incentive
17 Fund, provided that transfers in excess of \$15,000,000
18 shall not be made in any fiscal year.

19 On July 15, 2014, and every year thereafter, the
20 Comptroller shall order transferred, and the Treasurer
21 shall transfer, into the Metropolitan Pier and Exposition
22 Authority Incentive Fund from the General Revenue Fund an
23 amount equal to the incentive grant funds certified by the
24 Chief Executive Officer as having been lawfully paid under
25 the provisions of this Section in the previous fiscal year
26 that have not otherwise been transferred into the

1 Metropolitan Pier and Exposition Authority Incentive Fund,
2 provided that (1) no transfers with respect to any
3 previous fiscal year shall be made after the transfer has
4 been made with respect to the 2017 fiscal year until the
5 transfer that is made with respect to the 2022 fiscal year
6 and thereafter, and no transfers with respect to any
7 previous fiscal year shall be made after the transfer has
8 been made with respect to the 2026 fiscal year and (2)
9 transfers in excess of \$15,000,000 shall not be made in
10 any fiscal year.

11 After a transfer has been made under this subsection
12 (1), the Chief Executive Officer shall file a request for
13 payment with the Comptroller evidencing that the incentive
14 grants have been made and the Comptroller shall thereafter
15 order paid, and the Treasurer shall pay, the requested
16 amounts to the Metropolitan Pier and Exposition Authority.

17 Excluding any amounts related to the payment of costs
18 associated with the mitigation of COVID-19 in accordance
19 with this subsection (1), in ~~in~~ no case shall more than
20 \$5,000,000 be used in any one fiscal year by the Authority
21 for incentives granted to conventions, meetings, or trade
22 shows with a registered attendance of (1) more than 5,000
23 and less than 10,000 prior to the 2022 fiscal year and
24 after the 2024 fiscal year and (2) more than 3,000 and less
25 than 5,000 for fiscal years 2022 through 2024. Amounts in
26 the Metropolitan Pier and Exposition Authority Incentive

1 Fund shall only be used by the Authority for incentives
2 paid to attract or retain ~~large~~ conventions, meetings, and
3 trade shows ~~to its facilities~~ as provided in this
4 subsection (1).

5 (1-5) The Village of Rosemont shall provide incentives
6 from amounts transferred into the Convention Center
7 Support Fund to retain and attract conventions, meetings,
8 or trade shows to the Donald E. Stephens Convention Center
9 under the terms set forth in this subsection (1-5).

10 No later than May 15 of each year, the Mayor of the
11 Village of Rosemont or his or her designee shall certify
12 to the State Comptroller and the State Treasurer the
13 amounts of incentive grant funds used during the previous
14 fiscal year to provide incentives for conventions,
15 meetings, or trade shows that (1) have been approved by
16 the Village, (2) demonstrate registered attendance in
17 excess of 5,000 individuals, and (3) but for the
18 incentive, would not have used the Donald E. Stephens
19 Convention Center facilities for the convention, meeting,
20 or trade show. The State Comptroller may request that the
21 Auditor General conduct an audit of the accuracy of the
22 certification.

23 If the State Comptroller determines by this process of
24 certification that incentive funds, in whole or in part,
25 were disbursed by the Village by means other than in
26 accordance with the standards of this subsection (1-5),

1 then the amount transferred to the Convention Center
2 Support Fund shall be reduced during the next subsequent
3 transfer in direct proportion to that amount determined to
4 be in violation of the terms set forth in this subsection
5 (1-5).

6 On July 15, 2012, and each year thereafter, the
7 Comptroller shall order transferred, and the Treasurer
8 shall transfer, into the Convention Center Support Fund
9 from the General Revenue Fund the amount of \$5,000,000 for
10 (i) incentives to attract large conventions, meetings, and
11 trade shows to the Donald E. Stephens Convention Center,
12 and (ii) to be used by the Village of Rosemont for the
13 repair, maintenance, and improvement of the Donald E.
14 Stephens Convention Center and for debt service on debt
15 instruments issued for those purposes by the village. No
16 later than 30 days after the transfer, the Comptroller
17 shall order paid, and the Treasurer shall pay, to the
18 Village of Rosemont the amounts transferred.

19 (m) To enter into contracts with any person conveying
20 the naming rights or other intellectual property rights
21 with respect to the grounds, buildings, and facilities of
22 the Authority.

23 (n) To enter into grant agreements with the Chicago
24 Convention and Tourism Bureau providing for the marketing
25 of the convention facilities to large and small
26 conventions, meetings, and trade shows and the promotion

1 of the travel industry in the City of Chicago, provided
2 such agreements meet the requirements of Section 5.6 of
3 this Act. Receipts of the Authority from the increase in
4 the airport departure tax authorized by Section 13(f) of
5 this amendatory Act of the 96th General Assembly and,
6 subject to appropriation to the Authority, funds deposited
7 in the Chicago Travel Industry Promotion Fund pursuant to
8 Section 6 of the Hotel Operators' Occupation Tax Act shall
9 be granted to the Bureau for such purposes.

10 (Source: P.A. 100-23, eff. 7-6-17.)

11 (70 ILCS 210/18) (from Ch. 85, par. 1238)

12 Sec. 18. Regular meetings of the Board shall be held at
13 least 8 times ~~once~~ in each calendar year ~~month~~, the time and
14 place of such meetings to be fixed by the Board, provided that
15 if a meeting is not held in a calendar month, a meeting shall
16 be held in the following calendar month. All action and
17 meetings of the Board and its committees shall be subject to
18 the provisions of the Open Meetings Act. A majority of the
19 statutorily authorized members of the Board shall constitute a
20 quorum for the transaction of business. All action of the
21 Board shall be by rule, regulation, ordinance or resolution
22 and the affirmative vote of at least a majority of the
23 statutorily authorized members shall be necessary for the
24 adoption of any rule, regulation, ordinance or resolution. All
25 rules, regulations, ordinances, resolutions and all

1 proceedings of the Authority and all documents and records in
2 its possession shall be public records, and open to public
3 inspection, except such documents and records as shall be kept
4 or prepared by the Board for use in negotiations, action or
5 proceedings to which the Authority is a party. All records of
6 the Authority shall be subject to the provisions of the
7 Illinois Freedom of Information Act.

8 (Source: P.A. 84-1027.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law."