



Sen. William R. Haine

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LRB098 04744 JLK 57044 a

1 AMENDMENT TO SENATE BILL 499

2 AMENDMENT NO. _____. Amend Senate Bill 499 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Tri-City Regional Port District Act is
5 amended by changing the title of the Act and Sections 1, 2, 3,
6 4, 6, 7.5, 8, 13, 15, 15.5, 16, 18, 19, 25, 33, and 34 as
7 follows:

8 (70 ILCS 1860/Act title)

9 An Act to create the America's Central ~~Tri-City Regional~~
10 Port District (formerly known as the "Tri-City Regional Port
11 District Act") and to define its powers and duties.

12 (70 ILCS 1860/1) (from Ch. 19, par. 284)

13 Sec. 1. This Act shall be known and may be cited as the
14 "America's Central ~~Tri-City Regional~~ Port District Act."

15 (Source: Laws 1959, p. 71.)

1 (70 ILCS 1860/2) (from Ch. 19, par. 285)

2 Sec. 2. When used in this Act:

3 "District" or "Port District" means America's Central ~~the~~
4 ~~Tri-City Regional~~ Port District created by this Act.

5 "Terminal" means a public place, station or depot for
6 receiving and delivering baggage, mail, freight or express
7 matter and for any combination of such purposes, in connection
8 with the transportation of persons and property on water or
9 land or in the air.

10 "Terminal facilities" means all land, buildings,
11 structures, improvements, equipment and appliances useful in
12 the operation of public warehouse, storage and transportation
13 facilities and industrial, manufacturing, processing and
14 conversion activities for the accommodation of or in connection
15 with commerce by water or land or in the air or useful as an aid
16 to further the public interest, or constituting an advantage or
17 convenience to, the safe landing, taking off and navigation of
18 aircraft, or the safe and efficient operation or maintenance of
19 a public airport; except that nothing in this definition
20 contained shall be interpreted as granting authority to the
21 District to acquire, purchase, create, erect or construct a
22 bridge across any waterway which serves as a boundary between
23 the State of Illinois and any other state.

24 "Port facilities" means all public structures, except
25 terminal facilities as defined herein, that are in, over, under

1 or adjacent to navigable waters and are necessary for or
2 incident to the furtherance of water commerce and includes the
3 widening and deepening of slips, harbors and navigable waters.

4 "Aircraft" means any contrivance now known or hereafter
5 invented, used or designed for navigation of, or flight in, the
6 air.

7 "Airport" means any locality, either land or water, which
8 is used or designed for the landing and taking off of aircraft,
9 or for the location of runways, landing fields, airdromes,
10 hangars, buildings, structures, airport roadways and other
11 facilities.

12 "Airport hazard" means any structure, or object of natural
13 growth, located on or in the vicinity of an airport, or any use
14 of land near an airport which is hazardous to the use of such
15 airport for the landing and take-off of aircraft.

16 "Approach" means any path, course or zone defined by an
17 ordinance of the District or by other lawful regulation, on the
18 ground or in the air, or both, for the use of aircraft in
19 landing and taking off from an airport located within the
20 District.

21 "Commercial aircraft" means any aircraft other than public
22 aircraft engaged in the business of transporting persons or
23 property.

24 "Private aircraft" means any aircraft other than public and
25 commercial aircraft.

26 "Public aircraft" means an aircraft used exclusively in the

1 governmental service of the United States, or of any state or
2 of any public agency, including military and naval aircraft.

3 "Public airport" means an airport owned by a Port District,
4 an airport authority or other public agency which is used or is
5 intended for use by public, commercial and private aircraft and
6 by persons owning, managing, operating or desiring to use,
7 inspect or repair any such aircraft or to use any such airport
8 for aeronautical purposes.

9 "Public incinerator" means a facility for the disposal of
10 waste by incineration by any means or method for public use,
11 including, but not limited to, incineration and disposal of
12 industrial wastes.

13 "Public interest" means the protection, furtherance and
14 advancement of the general welfare and of public health and
15 safety and public necessity and convenience.

16 "Navigable waters" means any public waters which are or can
17 be made usable for water commerce.

18 "Governmental agency" means the Federal, State and any
19 local governmental body, and any agency or instrumentality,
20 corporate or otherwise, thereof.

21 "Person" means any individual, firm, partnership,
22 corporation, both domestic and foreign, company, association
23 or joint stock association; and includes any trustee, receiver,
24 assignee or personal representative thereof.

25 "General obligation bond" means any bond issued by the
26 District any part of the principal or interest of which bond is

1 to be paid by taxation.

2 "Revenue bond" means any bond issued by the District the
3 principal and interest of which bond is payable solely from
4 revenues or income derived from terminal, terminal facilities
5 or port facilities of the District.

6 "Board" means the America's Central ~~Tri-City~~ Port District
7 Board.

8 "Governor" means the Governor of the State of Illinois.

9 "Mayor" means the Mayor of the city of Venice, the Mayor of
10 the city of Madison or the Mayor of the city of Granite City,
11 as the case may require.

12 (Source: P.A. 92-643, eff. 1-1-03.)

13 (70 ILCS 1860/3) (from Ch. 19, par. 286)

14 Sec. 3. There is created a political subdivision, body
15 politic, and municipal corporation by the name of America's
16 Central ~~the Tri-City Regional~~ Port District embracing the
17 following territory in Madison and Jersey Counties ~~County~~: all
18 the territory included within the townships of Granite City,
19 Venice, and Nameoki, Chouteau, Wood River, Alton, Godfrey,
20 Elsah, and Quarry; ~~and that part of the township of Chouteau~~
21 ~~which lies south of the Cahokia diversion canal; and all of~~
22 ~~Chouteau and Gaboret Islands.~~ Territory may be annexed to the
23 District in the manner hereinafter provided in this Act. The
24 District may sue and be sued in its corporate name but
25 execution shall not in any case issue against any property of

1 the District. It may adopt a common seal and change the same at
2 its pleasure.

3 (Source: Laws 1959, p. 71.)

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

5 Sec. 4. The Port District has the following rights and
6 powers:

7 1. To issue permits: for the construction of all wharves,
8 piers, dolphins, booms, weirs, breakwaters, bulkheads,
9 jetties, bridges or other structures of any kind, over, under,
10 in, or within 40 feet of any navigable waters within the Port
11 District; for the deposit of rock, earth, sand or other
12 material, or any matter of any kind or description in such
13 waters; except that nothing contained in this paragraph 1 shall
14 be construed so that it will be deemed necessary to obtain a
15 permit from the District for the erection, operation or
16 maintenance of any bridge crossing a waterway which serves as a
17 boundary between the State of Illinois and any other State,
18 when such erection, operation or maintenance is performed by
19 any city within the District;

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

22 3. To locate and establish dock lines and shore or harbor
23 lines;

24 4. To regulate the anchorage, moorage and speed of water
25 borne vessels and to establish and enforce regulations for the

1 operation of bridges, except nothing contained in this
2 paragraph 4 shall be construed to give the District authority
3 to regulate the operation of any bridge crossing a waterway
4 which serves as a boundary between the State of Illinois and
5 any other State, when such operation is performed or to be
6 performed by any city within the District;

7 5. To acquire, own, construct, lease for any period not
8 exceeding 99 years, operate and maintain terminals, terminal
9 facilities and port facilities, to fix and collect just,
10 reasonable, and nondiscriminatory charges for the use of such
11 facilities, and, except as provided herein for short term
12 financing, to use the charges so collected to defray the
13 reasonable expenses of the Port District and to pay the
14 principal of and interest on any revenue bonds issued by the
15 District;

16 6. To acquire, erect, construct, reconstruct, improve,
17 maintain, operate and lease in whole or part for any period not
18 exceeding 99 years, central office or administrative
19 facilities for use by the Port District, any tenant, occupant
20 or user of the District facilities, or anyone engaged in
21 commerce in the District.

22 7. To sell, assign, pledge or hypothecate in whole or in
23 part any contract, lease, income, charges, tolls, rentals or
24 fees of the District to provide short term interim financing
25 pending the issuance of revenue bonds by the District, provided
26 that when such revenue bonds are issued, such contracts,

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

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

23 9. To create, establish, maintain and operate a public
24 incinerator for waste disposal by incineration by any means or
25 method, for use by municipalities for the disposal of municipal
26 wastes and by industries for the disposal of industrial waste;

1 and to lease land and said incineration facilities for the
2 operation of an incinerator for a term not exceeding 99 years
3 and to fix and collect just, reasonable and non-discriminatory
4 charges for the use of such incinerating facilities, and to use
5 the charges or lease proceeds to defray the reasonable expenses
6 of the Port District, and to pay the principal of and interest
7 on any revenue bonds issued by the Port District.

8 10. To locate, establish and maintain a public airport,
9 public airports and public airport facilities within its
10 corporate limits or within or upon any body of water adjacent
11 thereto, and to construct, develop, expand, extend and improve
12 any such airport or airport facilities;

13 11. To operate, maintain, manage, lease or sublease for any
14 period not exceeding 99 years, and to make and enter into
15 contracts for the use, operation or management of, and to
16 provide rules and regulations for, the operation, management or
17 use of, any public airport or public airport facility;

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

21 13. To establish, maintain, extend and improve roadways and
22 approaches by land, water or air to any such airport and to
23 contract or otherwise provide, by condemnation if necessary,
24 for the removal of any airport hazard or the removal or
25 relocation of all private structures, railways, mains, pipes,
26 conduits, wires, poles, and all other facilities and equipment

1 which may interfere with the location, expansion, development,
2 or improvement of airports or with the safe approach thereto or
3 take-off therefrom by aircraft, and to pay the cost of removal
4 or relocation; and, subject to the "Airport Zoning Act",
5 approved July 17, 1945, as amended, to adopt, administer and
6 enforce airport zoning regulations for territory which is
7 within its corporate limits or which extends not more than 2
8 miles beyond its corporate limits;

9 14. To restrict the height of any object of natural growth
10 or structure or structures within the vicinity of any airport
11 or within the lines of an approach to any airport and, when
12 necessary, for the reduction in the height of any such existing
13 object or structure, to enter into an agreement for such
14 reduction or to accomplish same by condemnation;

15 15. To agree with the state or federal governments or with
16 any public agency in respect to the removal and relocation of
17 any object of natural growth, airport hazard or any structure
18 or building within the vicinity of any airport or within an
19 approach and which is owned or within the control of such
20 government or agency and to pay all or an agreed portion of the
21 cost of such removal or relocation;

22 16. For the prevention of accidents, for the furtherance
23 and protection of public health, safety and convenience in
24 respect to aeronautics, for the protection of property and
25 persons within the District from any hazard or nuisance
26 resulting from the flight of aircraft, for the prevention of

1 interference between, or collision of, aircraft while in flight
2 or upon the ground, for the prevention or abatement of
3 nuisances in the air or upon the ground or for the extension or
4 increase in the usefulness or safety of any public airport or
5 public airport facility owned by the District, the District may
6 regulate and restrict the flight of aircraft while within or
7 above the incorporated territory of the District;

8 17. To police its physical property only and all waterways
9 and to exercise police powers in respect thereto or in respect
10 to the enforcement of any rule or regulation provided by the
11 ordinances of the District and to employ and commission police
12 officers and other qualified persons to enforce the same. The
13 use of any such public airport or public airport facility of
14 the District shall be subject to the reasonable regulation and
15 control of the District and upon such reasonable terms and
16 conditions as shall be established by its Board. A regulatory
17 ordinance of the District adopted under any provision of this
18 Section may provide for a suspension or revocation of any
19 rights or privileges within the control of the District for a
20 violation of any such regulatory ordinance. Nothing in this
21 Section or in other provisions of this Act shall be construed
22 to authorize such Board to establish or enforce any regulation
23 or rule in respect to aviation, or the operation or maintenance
24 of any airport facility within its jurisdiction, which is in
25 conflict with any federal or state law or regulation applicable
26 to the same subject matter;

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

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

9 20. To acquire, own, lease, sell or otherwise dispose of
10 interests in and to real property and improvements situate
11 thereon and in personal property necessary to fulfill the
12 purposes of the District;

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

14 22. To engage in any activity or operation which is
15 incidental to and in furtherance of efficient operation to
16 accomplish the District's primary purpose;

17 23. To apply to proper authorities of the United States of
18 America pursuant to appropriate ~~appropriated~~ Federal Law for
19 the right to establish, operate, maintain and lease foreign
20 trade zones and sub-zones within the limits of America's
21 Central ~~the Tri-City Regional~~ Port District, or its limits as
22 approved by the United States Foreign-Trade Zones Board, or
23 within the jurisdiction of the United States Customs Service
24 Office of the St. Louis Port of Entry and to establish,
25 operate, maintain and lease such foreign trade zones and the
26 sub-zones;

1 24. To operate, maintain, manage, lease, or sublease for
2 any period not exceeding 99 years any former military base
3 owned or leased by the District and within its jurisdictional
4 boundaries, to make and enter into any contract for the use,
5 operation, or management of any former military base owned or
6 leased by the District and located within its jurisdictional
7 boundaries, and to provide rules and regulations for the
8 development, redevelopment, and expansion of any former
9 military base owned or leased by the District and located
10 within its jurisdictional boundaries;

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

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

26 27. To cause to be incorporated one or more subsidiary

1 business corporations, wholly owned by the District, to own,
2 operate, maintain, and manage facilities and services related
3 to any telephone system, pursuant to paragraph 26. A subsidiary
4 corporation formed pursuant to this paragraph shall (i) be
5 deemed a telecommunications carrier, as that term is defined in
6 Section 13-202 of the Public Utilities Act, (ii) have the right
7 to apply to the Illinois Commerce Commission for a Certificate
8 of Service Authority or a Certificate of Interexchange Service
9 Authority, and (iii) have the powers necessary to carry out
10 lawful orders of the Illinois Commerce Commission;

11 28. To improve, develop, or redevelop any former military
12 base situated within the boundaries of the District, in Madison
13 County, Illinois, and acquired by the District from the federal
14 government, acting by and through the United States Maritime
15 Administration, pursuant to any plan for redevelopment,
16 development, or improvement of that military base by the
17 District that is approved by the United States Maritime
18 Administration under the terms and conditions of conveyance of
19 the former military base to the District by the federal
20 government;:-

21 29. To acquire, erect, construct, maintain and operate
22 aquariums, museums, planetariums, climatrons and other
23 edifices for the collection and display of objects pertaining
24 to natural history or the arts and sciences, or sports
25 facilities and to permit the directors or trustees of any
26 corporation or society organized for the erection,

1 construction, maintenance and operation of an aquarium,
2 museum, planetarium, climatrons, sports facilities or other
3 such edifice to perform such erection, construction,
4 maintenance and operation on or within any property now or
5 hereafter owned by or under the control or supervision of the
6 District; and to contract with any such directors or trustees
7 relative to such acquisition, erection, construction,
8 maintenance and operation and to authorize such directors or
9 trustees to charge an admission fee, the proceeds of which
10 shall be devoted exclusively to such erection, construction,
11 maintenance and operation;

12 30. 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 residential buildings, buildings to be used as a factory, mill
16 shops, processing plants, packaging plants, assembly plants,
17 fabricating plants, and buildings to be used as warehouses and
18 other storage facilities;

19 31. To cause to be incorporated one or more subsidiary
20 business corporations to own, operate, maintain, and manage
21 facilities and services related to any terminal, terminal
22 facilities, airfields, airports, port facilities, or real
23 property of the District, whether as shareholder, partner, or
24 co-venturer, alone or in cooperation with federal, state, or
25 local governmental authorities or any other public or private
26 corporation or person or persons. Such subsidiary business

1 corporations and all of the property thereof, wholly or partly
2 owned, directly or indirectly, by the District, shall have the
3 same privileges and immunities as accorded to the District; and
4 subsidiary business corporations may borrow money or obtain
5 financial assistance from private lenders or federal and state
6 governmental authorities or issue revenue bonds with the same
7 kinds of security, and in accordance with the same procedures,
8 restrictions and privileges applicable when the District
9 obtains financial assistance or issues bonds for any of its
10 other authorized purposes.

11 (Source: P.A. 93-874, eff. 8-6-04.)

12 (70 ILCS 1860/6) (from Ch. 19, par. 289)

13 Sec. 6. The District has power to apply for and accept
14 grants, loans, or appropriations from the federal government,
15 the State of Illinois, ~~and Madison~~ or Jersey Counties ~~County,~~
16 or any agency or instrumentality thereof to be used for any of
17 the purposes of the District and to enter into any agreements
18 with the federal, State, and county governments in relation to
19 such grants, loans or appropriations.

20 The District may petition any federal, state, municipal, or
21 local authority, administrative, judicial and legislative,
22 having jurisdiction in the premises, for the adoption and
23 execution of any physical improvement, change in method or
24 system of handling freight, warehousing, docking, lightering,
25 and transfer of freight, which in the opinion of the District

1 is designed to improve or better the handling of commerce in
2 and through the Port District or improve terminal or
3 transportation facilities therein.

4 (Source: P.A. 92-643, eff. 1-1-03.)

5 (70 ILCS 1860/7.5)

6 Sec. 7.5. 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 for that
9 borrowing, if the money is repaid within 20 ~~3~~ years after the
10 money is borrowed. "Financial institution" means any bank
11 subject to the Illinois Banking Act, any savings and loan
12 association subject to the Illinois Savings and Loan Act of
13 1985, any savings bank subject to the Savings Bank Act, and any
14 federally chartered commercial bank or savings and loan
15 association organized and operated in this State pursuant to
16 the laws of the United States.

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

18 (70 ILCS 1860/8) (from Ch. 19, par. 291)

19 Sec. 8. The District has the continuing power to borrow
20 money and issue either general obligation bonds, after approval
21 by referendum as hereinafter provided, or revenue bonds without
22 referendum approval for the purpose of acquiring,
23 constructing, reconstructing, extending or improving
24 terminals, terminal facilities, airfields, airports and port

1 facilities, and for acquiring any property and equipment useful
2 for the construction, reconstruction, extension, improvement
3 or operation of its terminals, terminal facilities, airfields,
4 airports and port facilities, and for acquiring necessary
5 working cash funds.

6 The District may, pursuant to ordinance adopted by the
7 Board and without submitting the question to referendum, from
8 time to time issue and dispose of its interest bearing revenue
9 bonds and may also in the same manner from time to time issue
10 and dispose of its interest bearing revenue bonds to refund any
11 revenue bonds at maturity or pursuant to redemption provisions
12 or at any time before maturity with the consent of the holders
13 thereof.

14 If the Board desires to issue general obligation bonds it
15 shall adopt an ordinance specifying the amount of bonds to be
16 issued, the purpose for which they will be issued, the maximum
17 rate of interest they will bear which shall not be greater than
18 that permitted in "An Act to authorize public corporations to
19 issue bonds, other evidences of indebtedness and tax
20 anticipation warrants subject to interest rate limitations set
21 forth therein", approved May 26, 1970, as now or hereafter
22 amended. Such interest may be paid semiannually. The ordinance
23 shall also specify the date of maturity which shall not be more
24 than 20 years after the date of issuance, and levying a tax
25 that will be required to amortize such bonds. This ordinance is
26 not effective until it has been submitted to referendum of, and

1 approved by, the legal voters of the District. The Board shall
 2 certify the ordinance and the question to the proper election
 3 officials, who shall submit the question to the voters at an
 4 election in accordance with the general election law. If a
 5 majority of the vote is in favor of the issuance of the general
 6 obligation bonds the county clerk shall annually extend taxes
 7 against all taxable property within the District at a rate
 8 sufficient to pay the maturing principal and interest of these
 9 bonds.

10 The question shall be in substantially the following form:

11 -----
 12 Shall general obligation bonds
 13 in the amount of \$.... be issued YES
 14 by America's Central
 15 ~~the Tri-City Regional~~ Port
 16 District for the purpose of -----
 17 maturing in not more than
 18 years, bearing not more than% NO
 19 interest, and a tax levied to pay
 20 the principal and interest thereof?
 21 -----

22 (Source: P.A. 82-902.)

23 (70 ILCS 1860/13) (from Ch. 19, par. 296)
 24 Sec. 13. The Board may, after referendum approval, levy a
 25 tax for corporate purposes of the District annually at the rate

1 approved by referendum, but which rate shall not exceed .05% of
2 the value of all taxable property within the Port District as
3 equalized or assessed by the Department of Revenue.

4 If the Board desires to levy such a tax it shall order that
5 the question be submitted at a referendum to be held within the
6 District. The Board shall certify the order and the question to
7 the proper election officials, who shall submit the question to
8 the voters at an election in accordance with the general
9 election law. The Board shall cause the result of the election
10 to be entered upon the records of the Port District. If a
11 majority of the vote is in favor of the proposition, the Board
12 may thereafter levy a tax for corporate purposes at a rate not
13 to exceed that approved by referendum but in no event to exceed
14 .05% of the value of all taxable property within the District
15 as equalized or assessed by the Department of Revenue.

16 The question shall be in substantially the following form:

17 -----

18 Shall America's Central

19 ~~the Tri-City Regional~~

20 Port District levy a tax for YES

21 corporate purposes annually at

22 a rate not to exceed% of -----

23 the value of taxable property

24 as equalized or assessed by the NO

25 Department of Revenue?

26 -----

1 (Source: P.A. 81-1489; 81-1509.)

2 (70 ILCS 1860/15) (from Ch. 19, par. 298)

3 Sec. 15. The governing and administrative body of the Port
4 District shall be a Board of Commissioners consisting of 9 ~~7~~
5 members, to be known as the America's Central ~~Tri-City Regional~~
6 Port District Board. All members of the Board shall be
7 residents of the District and shall be known as Commissioners
8 of the America's Central ~~Tri-City Regional~~ Port District Board.
9 The members of the Board shall serve without compensation but
10 shall be reimbursed for actual expenses incurred by them in the
11 performance of their duties. However, any Commissioner of the
12 Board who is appointed to the office of secretary or treasurer
13 may receive compensation for his services as such officer. No
14 Commissioner of the Board or employee of the District shall
15 have any private financial interest, profit or benefit in any
16 contract, work or business of the District nor in the sale or
17 lease of any property to or from the District, except to the
18 extent allowed under "An Act to prevent fraudulent and corrupt
19 practices in the making or accepting of official appointments
20 and contracts by public officers", approved April 9, 1872, as
21 now or hereafter amended.

22 (Source: P.A. 86-681.)

23 (70 ILCS 1860/15.5)

24 Sec. 15.5. A mayor may hold the office of Commissioner of

1 America's Central ~~the Tri-City Regional~~ Port District
2 simultaneously with the office of mayor. Notwithstanding any
3 statute to the contrary, a mayor's acceptance of an appointment
4 as a Commissioner of America's Central ~~the Tri-City Regional~~
5 Port District does not terminate or impair the mayor's public
6 office.

7 (Source: P.A. 92-643, eff. 1-1-03.)

8 (70 ILCS 1860/16) (from Ch. 19, par. 299)

9 Sec. 16. The Governor shall appoint 6 members of the Board
10 and the Mayor of the cities of Venice, Madison and Granite City
11 shall each appoint one member of the Board, for a total of 9
12 Board members. Within 60 days following passage of this
13 amendatory Act of the 98th General Assembly, the Governor shall
14 appoint 2 members residing in the area north of the Cahokia
15 Diversion Canal to represent that area, with one member
16 appointed for an initial term expiring May 31, 2016 and one
17 member appointed for an initial term expiring May 31, 2017. The
18 number of Board members appointed by the Governor from the area
19 north of the Cahokia Diversion Canal shall remain at 2 members
20 until such time that the gross operating revenues from the area
21 north of the Cahokia Diversion Canal exceeds 33% of the Port
22 District's total gross operating revenue, as certified by the
23 Port District's certified public accountant. When the gross
24 operating revenue exceeds this amount, the Governor shall, upon
25 the expiration of their term, replace a Board member who

1 resides in the area south of the Cahokia Diversion Canal with
2 an appointee that resides to the north of the Cahokia Diversion
3 Canal, for a total of 3 members who reside in the area north of
4 the Cahokia Diversion Canal. When the gross operating revenue
5 exceeds 45% of the Port District's total gross operating
6 revenue, as certified by the Port District's certified public
7 accountant, the Governor shall replace a Board member who
8 resides in the area south of the Cahokia Diversion Canal, upon
9 the expiration of their term, with an appointee that resides to
10 the north of the Cahokia Diversion Canal, for a total of 4
11 members who reside in the area north of the Cahokia Diversion
12 Canal. In no case shall there be more than 2 members appointed
13 by the Governor from the area to the south or to the north of
14 the Cahokia Diversion Canal whose terms expire in the same
15 year. At the expiration of the term of any member, the member's
16 successor shall be appointed by the Governor or the respective
17 Mayor in the same manner as the original appointment. No more
18 than 4 members may reside in the area north of the Cahokia
19 Diversion Canal. The Governor shall appoint 4 members of the
20 Board and each Mayor of the cities of Venice, Madison and
21 Granite City shall appoint one member of the Board. All initial
22 appointments shall be made within 60 days after this Act takes
23 effect. Of the 4 members initially appointed by the Governor 2
24 shall be appointed for initial terms expiring June 1, 1960, one
25 for an initial term expiring June 1, 1961 and one for an
26 initial term expiring June 1, 1962. The terms of the members

1 ~~initially appointed by the respective Mayors shall expire June~~
2 ~~1, 1962. At the expiration of the term of any member, his~~
3 ~~successor shall be appointed by the Governor or the respective~~
4 ~~Mayors in like manner and with like regard to place of~~
5 ~~residence of the appointee, as in the case of appointments for~~
6 ~~the initial terms.~~

7 After the expiration of initial terms, each successor shall
8 hold office for the term of 3 years from the first day of June
9 of the year in which the term of office commences. In the case
10 of a vacancy during the term of office of any member appointed
11 by the Governor, the Governor shall make an appointment for the
12 remainder of the term vacant and until a successor is appointed
13 and qualified. In case of a vacancy during the term of office
14 of any member appointed by a Mayor, the proper Mayor shall make
15 an appointment for the remainder of the term vacant and until a
16 successor is appointed and qualified. The Governor and each
17 Mayor shall certify their respective appointments to the
18 Secretary of State. Within 30 days after certification of his
19 appointment, and before entering upon the duties of his office,
20 each member of the Board shall take and subscribe the
21 constitutional oath of office and file it in the office of the
22 Secretary of State.

23 (Source: Laws 1959, p. 71.)

24 (70 ILCS 1860/18) (from Ch. 19, par. 301)

25 Sec. 18. ~~As soon as possible after the appointment of the~~

1 ~~initial members, the Board shall organize for the transaction~~
2 ~~of business, select a chairman and a temporary secretary from~~
3 ~~its own number, and adopt bylaws and regulations to govern its~~
4 ~~proceedings.~~ The ~~initial~~ chairman and successors shall be
5 elected by the Board from time to time for a term of office as
6 provided in the District bylaws. However, such term of office
7 shall not exceed his term of office as a member of the Board.

8 (Source: Laws 1965, p. 393.)

9 (70 ILCS 1860/19) (from Ch. 19, par. 302)

10 Sec. 19. Regular meetings of the Board shall be held at
11 least once in each calendar month, the time and place of such
12 meetings to be fixed by the Board. Five ~~Four~~ members of the
13 Board shall constitute a quorum for the transaction of
14 business. All action of the Board shall be by ordinance or
15 resolution and the affirmative vote of at least 5 ~~4~~ members
16 shall be necessary for the adoption of any ordinance or
17 resolution. All such ordinances and resolutions before taking
18 effect shall be approved by the chairman of the Board, and if
19 he approves thereof he shall sign the same, and such as he does
20 not approve he shall return to the Board with his objections
21 thereto in writing at the next regular meeting of the Board
22 occurring after the passage thereof. But in the case the
23 chairman fails to return any ordinance or resolution with his
24 objections thereto by the time aforesaid, he shall be deemed to
25 have approved the same and it shall take effect accordingly.

1 Upon the return of any ordinance or resolution by the chairman
2 with his objections, the vote by which the same was passed
3 shall be reconsidered by the Board, and if upon such
4 reconsideration said ordinance or resolution is passed by the
5 affirmative vote of at least 6 ~~5~~ members, it shall go into
6 effect notwithstanding the veto of the chairman. All
7 ordinances, resolutions and all proceedings of the District and
8 all documents and records in its possession shall be public
9 records, and open to public inspection, except such documents
10 and records as are kept or prepared by the Board for use in
11 negotiations, legal actions or proceedings to which the
12 District is a party.

13 (Source: Laws 1959, p. 71.)

14 (70 ILCS 1860/25) (from Ch. 19, par. 308)

15 Sec. 25. Within 60 days after the end of each fiscal year,
16 the Board shall cause to be prepared and printed a complete and
17 detailed report and financial statement of the operations and
18 assets and liabilities of the Port District. A reasonably
19 sufficient number of copies of such report shall be printed for
20 distribution to persons interested, upon request, and a copy
21 thereof shall be filed with the Governor and the county clerks
22 ~~clerk~~ and the presiding officers ~~officer~~ of the county boards
23 ~~board~~ of Madison and Jersey Counties ~~County~~. A copy of such
24 report shall be addressed to and mailed to the Mayor and city
25 council or president and board of trustees of each municipality

1 within the area of the District.

2 (Source: Laws 1959, p. 71.)

3 (70 ILCS 1860/33) (from Ch. 19, par. 316)

4 Sec. 33. At least 5% of the legal voters resident within
5 the limits of such proposed addition to the District shall
6 petition the circuit court for the county in which the major
7 part of the District is situated, to cause the question to be
8 submitted to the legal voters of such proposed additional
9 territory, whether such proposed additional territory shall
10 become a part of the District and assume a proportionate share
11 of the general obligation bonded indebtedness, if any, of the
12 District. Such petition shall be addressed to the court and
13 shall contain a definite description of the boundaries of the
14 territory to be embraced in the proposed addition.

15 Upon filing any such petition with the clerk of the court,
16 the court shall fix a time and place for a hearing upon the
17 subject of the petition.

18 Notice shall be given by the court to whom the petition is
19 addressed, or by the circuit clerk or sheriff of the county in
20 which such petition is made at the order and direction of the
21 court, of the time and place of the hearing upon the subject of
22 the petition at least 20 days prior thereto by at least one
23 publication thereof in any newspaper having general
24 circulation within the area proposed to be annexed, and by
25 mailing a copy of such notice to the mayor or president of the

1 board of trustees of all cities, villages and incorporated
2 towns within the District.

3 At the hearing all persons residing in or owning property
4 situated in the area proposed to be annexed to the District may
5 appear and be heard touching upon the sufficiency of the
6 petition. If the court finds that the petition does not comply
7 with the requirements of the law, the court shall dismiss the
8 petition; but if the court finds that the petition is
9 sufficient the court shall enter an appropriate order and the
10 clerk of the circuit court shall certify the order and the
11 proposition to the proper election officials, who shall submit
12 the proposition to the voters at an election in accordance with
13 the general election law. In addition to the requirements of
14 the general election law the notice of the referendum shall
15 specify the purpose of such referendum with a description of
16 the area proposed to be annexed to the District.

17 The proposition shall be in substantially the following
18 form:

19 -----
20 For joining America's Central
21 ~~the Tri-City Regional~~ Port
22 District and assuming a proportionate
23 share of general obligation bonded
24 indebtedness, if any.

25 -----
26 Against joining America's Central

1 ~~the Tri-City Regional~~
2 Port District and assuming a proportionate
3 share of general obligation bonded
4 indebtedness, if any.

5 -----
6 The court shall cause a statement of the result of such
7 election to be filed in the records of the court.

8 If a majority of the votes cast upon the question of
9 annexation to the District are in favor of becoming a part of
10 such District, the court shall then enter an order stating that
11 such additional territory shall thenceforth be an integral part
12 of the America's Central ~~Tri-City Regional~~ Port District and
13 subject to all of the benefits of service and responsibilities
14 of the District. The circuit clerk shall transmit a certified
15 copy of the order to the circuit clerk of any other county in
16 which any of the territory affected is situated.

17 (Source: P.A. 83-343.)

18 (70 ILCS 1860/34) (from Ch. 19, par. 317)

19 Sec. 34. If there is territory contiguous to the District
20 which has no legal voters residing therein, a petition to annex
21 such territory, signed by all the owners of record of such
22 territory may be filed with the circuit court for the county in
23 which the major part of the District is situated. A time and
24 place for a hearing on the subject of the petition shall be
25 fixed and notice thereof shall be given in the manner provided

1 in Section 33. At such hearing any owner of land in the
2 territory proposed to be annexed, the District and any resident
3 of the District may appear and be heard touching on the
4 sufficiency of the petition. If the court finds that the
5 petition satisfies the requirements of this Section it shall
6 enter an order stating that thenceforth such territory shall be
7 an integral part of the America's Central ~~Tri-City Regional~~
8 Port District and subject to all of the benefits of service and
9 responsibilities, including the assumption of a proportionate
10 share of the general obligation bonded indebtedness, if any, of
11 the District. The circuit clerk shall transmit a certified copy
12 of the order of the court to the circuit clerk of any other
13 county in which the annexed territory is situated.

14 (Source: Laws 1967, p. 3692.)".