

1 AN ACT relating to academic centers of excellence.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Metro East Academy District Act.

6 Section 5. Creation of district. The Metro East Academy
7 District, hereinafter called the District, is hereby created.
8 The territory of the District shall consist of the contiguous
9 territory within the boundaries of Madison and St. Clair
10 Counties. The District is created to attract and retain
11 academic centers of excellence, technology and research
12 centers, and such other educational resource facilities and
13 uses as are permitted by this Act.

14 Section 10. Metro East Academy District Commission.

15 (a) There is hereby created a body politic and corporate
16 under the corporate name of the Metro East Academy District
17 Commission, hereinafter called the Commission, whose general
18 purpose in addition to and not in limitation of those
19 purposes and powers set forth in other Sections of this Act
20 shall be to:

21 (1) maintain the proper surroundings for academic
22 centers of excellence and related technology and resource
23 centers in order to attract and retain therein (i)
24 training and continuing education facilities for
25 teachers, administrators, and other educators, and (ii)
26 computer technology, distance learning and
27 telecommunication, laboratory, library, research and
28 related educational resource facilities as permitted
29 under this Act; and

30 (2) provide for the orderly creation and expansion

1 of (i) various county, and local governmental facilities
2 as permitted under this Act, (ii) other ancillary or
3 related facilities which the Commission may from time to
4 time determine are established and operated for any
5 aspect of the carrying out of the Commission's purposes
6 as set forth in this Act, or are established and operated
7 to promote educational, technological, or scientific
8 research and knowledge as permitted under this Act, and
9 (iii) research and high technology parks, together with
10 the necessary lands, buildings, facilities, equipment,
11 and personal property therefor.

12 (b) The Commission shall have perpetual succession,
13 power to contract and be contracted with, to sue and be sued
14 except in actions sounding in tort, to plead and be
15 impleaded, to have and use a common seal, and to alter the
16 same at pleasure. All actions sounding in tort against the
17 Commission shall be prosecuted in the Court of Claims. The
18 principal office of the Commission shall be in the Village of
19 Cahokia, and the Commission may establish such other offices
20 within the State of Illinois at such places as to the
21 Commission shall seem advisable. The Commission shall consist
22 of 9 members, 4 of whom shall be appointed by the Governor
23 (one of whom shall be a representative of private industry),
24 one of whom shall be appointed by the Mayor of Cahokia, 2 of
25 whom shall be appointed, one each, by the chairpersons of the
26 County Boards of Madison and St. Clair Counties, and the
27 other 2 of whom shall be the persons from time to time
28 serving as the regional superintendents of schools for the
29 Madison County educational service region and the St. Clair
30 County educational service region. All appointed members
31 shall hold office for a term of 5 years and until their
32 successors are appointed as provided in this Act; provided,
33 that as soon as possible after the effective date of this
34 Act, the Governor shall appoint 4 members for terms expiring,

1 respectively, on June 30, 2004, 2005, 2006, and 2007. The
2 other 3 appointed members shall draw lots to serve for terms
3 expiring, respectively, on June 30, 2005, 2006, and 2007. Any
4 vacancy in an appointed membership of the Commission
5 occurring by reason of the death, resignation,
6 disqualification, removal, or inability or refusal to act of
7 an appointed member shall be filled by the person who had
8 appointed the particular member, and for the unexpired term
9 of office of that particular member. A vacancy caused by the
10 expiration of the period for which the member was appointed
11 shall be filled by a new appointment for a term of 5 years
12 from the date of such expiration of the prior 5 year term
13 notwithstanding when such appointment is actually made. The
14 Commission shall obtain, pursuant to the provisions of the
15 Personnel Code, such personnel as to the Commission shall
16 seem advisable to carry out the purposes of this Act and the
17 work of the Commission. The Commission may appoint a General
18 Attorney and define the duties of that General Attorney.

19 The president of the Commission shall be appointed
20 annually by the Governor from the membership of the
21 Commission. The Commission shall hold regular meetings
22 annually for the election of a vice-president, secretary, and
23 treasurer and for the adoption of a budget. Special meetings
24 may be called by the president or by any 3 members. Each
25 member shall take an oath of office for the faithful
26 performance of his duties. Five members of the Commission
27 shall constitute a quorum for the transaction of business.

28 The Commission shall submit, to the General Assembly not
29 later than March 1 of each odd-numbered year, a detailed
30 report covering its operations for the 2 preceding calendar
31 years and a statement of its program for the next 2 years.

32 The requirement for reporting to the General Assembly
33 shall be satisfied by filing copies of the report with the
34 Speaker, the Minority Leader and the Clerk of the House of

1 Representatives and the President, the Minority Leader and
2 the Secretary of the Senate and the Legislative Research
3 Unit, as required by Section 3.1 of the General Assembly
4 Organization Act, and filing such additional copies with the
5 State Government Report Distribution Center for the General
6 Assembly as is required under paragraph (t) of Section 7 of
7 the State Library Act.

8 Section 15. Grants; loans; contracts. The Commission
9 may apply for and accept grants, loans, or appropriations
10 from the State of Illinois, the federal government, any State
11 or federal agency or instrumentality, or any other person or
12 entity to be used for any of the purposes of the District and
13 enter into any agreement with the State of Illinois, the
14 federal government, any State or federal instrumentality, or
15 any person or entity in relation to the grants, matching
16 grants, loans, or appropriations. The Commission also may,
17 by contractual agreement, accept and collect assessments or
18 fees for District enhancement and improvements, common area
19 shared services, shared facilities, or other activities or
20 expenditures in furtherance of the purposes of this Act.

21 Section 20. Property; acquisition. The Commission is
22 authorized to acquire the fee simple title to real property
23 lying within the District and personal property required for
24 its purposes, by gift, purchase, or other form of transfer,
25 except the Commission shall have no power to acquire title or
26 any other interest in any property by exercise of the power
27 of eminent domain; and title thereto shall be taken in the
28 corporate name of the Commission.

29 Section 25. Authority to construct or acquire. The
30 Commission may, in its corporate capacity, construct or cause
31 or permit to be constructed in the District academic centers

1 of excellence and related technology and resource centers,
2 including training and continuing education facilities for
3 teachers, administrators, and other educators, computer
4 technology and distance learning and telecommunication
5 facilities, laboratories, and any other institution,
6 building, structure or other ancillary or related facilities
7 which the Commission may, from time to time, determine are
8 established and operated for the carrying out of any aspect
9 of the Commission's purpose as set forth in this Act, or as
10 are established and operated to promote educational,
11 technological, or scientific research and knowledge, or for
12 any uses the Commission shall determine will support and
13 nurture facilities and uses permitted by this Act. All such
14 structures and improvements shall be erected and constructed
15 in accordance with Section 49 of the Civil Administrative
16 Code of Illinois, and the Illinois Purchasing Act, to the
17 same extent as if the Commission were a Code Department. The
18 Commission shall administer and exercise ultimate authority
19 with respect to the development and operation of the Metro
20 East Technology Park on the former site of Parks College at
21 Cahokia, Illinois, and any extensions or expansion thereof.
22 In addition, the Commission may create and designate the
23 boundaries of a development area on lands within the District
24 that are compact and contiguous to the Metro East Technology
25 Park, called the District Development Area. Within the
26 District Development Area the Commission may cause to be
27 acquired or constructed commercial and other types of
28 development, public and private, if the Commission determines
29 that the commercial developments are ancillary to and
30 necessary for the support of facilities within the District
31 and any other purposes of the District, after a public
32 hearing held by a Commissioner or the person authorized by
33 the Commission to conduct the hearing. The Commissioner or
34 other authorized persons shall have the power to administer

1 oaths and affirmations, take the testimony of witnesses,
2 receive pertinent evidence, and certify the record of the
3 hearing to the Commission. The record of the hearing shall
4 become part of the Commission's records. Notice of the time,
5 place, and purpose of the hearing shall be given by a single
6 publication notice in a secular newspaper of general
7 circulation in the Counties of Madison and St. Clair at least
8 10 days before the date of the hearing. In addition to the
9 powers set forth above, the Commission may sell, lease,
10 develop, operate, and manage for any person, firm,
11 partnership, or corporation, either public or private, all or
12 any part of the land, buildings, facilities, equipment, or
13 other property included in the District Development Area and
14 any high technology park or the designated commercial
15 development area upon the terms and conditions the Commission
16 may deem advisable, and may enter into any contract or
17 agreement with any person, firm, partnership, or corporation,
18 either public or private, or any combination of the
19 foregoing, as may be necessary or suitable for the creation,
20 marketing, development, construction, reconstruction,
21 rehabilitation, financing, operation and maintenance, and
22 management of the District Development Area and any
23 technology park or designated commercial development area;
24 and may sell or lease to any person, firm, partnership, or
25 corporation, either public or private, any part or all of the
26 land, building, facilities, equipment, or other property of
27 the park or the designated commercial development area upon
28 the rentals, terms, and conditions as the Commission may deem
29 advisable; and may finance all or part of the cost of the
30 Commission's development and operation of the District
31 Development Area as well as any park or the designated
32 commercial development area, including the creation,
33 marketing, development, purchase, lease, construction,
34 reconstruction, rehabilitation, improvement, remodeling,

1 addition to, extension, and maintenance of all or part of the
2 high technology park or the designated commercial development
3 area, and all equipment and furnishings, by legislative
4 appropriations, government grants, contracts, private gifts,
5 loans, bonds, receipts from the sale or lease of land for the
6 operation of the District and any high technology park or the
7 designated commercial development area, rentals, and similar
8 receipts or other sources of revenue legally available for
9 these purposes. The Commission also may defray the expenses
10 of the operation of the District Development Area and
11 technology park, improvements to the District Development
12 Area and technology park, provision of shared services,
13 common facilities and common area expenses, benefiting owners
14 and occupants of property within the District Development
15 Area and the technology park by general assessment, special
16 assessment, or the imposition of service or user fees. As to
17 the entities eligible to be members of the advisory District
18 Member Council, such assessments or impositions may be
19 undertaken only with District Member Council consent as
20 provided in Section 70.

21 Section 30. Revenue bonds. To obtain the funds necessary
22 for financing the acquisition of land, the acquisition or
23 construction of any building hereinabove mentioned, and for
24 the operation of the District as is in this Act set forth,
25 the Commission may borrow money from any public or private
26 agency, department, corporation or person. In evidence of and
27 as security for funds borrowed, the Commission may issue
28 revenue bonds in its corporate capacity to be payable from
29 the revenues derived from the operation of the institutions
30 or buildings, owned, leased, or operated by or on behalf of
31 the Commission, but the bonds shall in no event constitute an
32 indebtedness of the Commission or a claim against the
33 property of the Commission. Such bonds may be issued in such

1 denominations as may be expedient, and in such amounts and at
2 such rates of interest as the Commission shall deem necessary
3 to provide sufficient funds to pay all the costs of acquiring
4 land, the construction, acquisition, equipping and operation
5 of buildings within the district, including engineering and
6 other expenses. Such bonds shall be executed by the president
7 of the Commission, attested by the secretary thereof and
8 sealed with the Commission's corporate seal. In case either
9 of said officers of the Commission who shall have signed or
10 attested any of such bonds shall have ceased to be such
11 officer before delivery of such bonds, the signature of such
12 officer shall be valid and sufficient to the same effect as
13 if such officer had remained in office at the time of such
14 delivery. The Commission shall furnish the State Comptroller
15 with a record of all bonds issued under this Act.

16 Section 35. Internal and procedural audit authority. The
17 Department of Central Management Services shall exercise the
18 same powers in regard to the Commission as it exercises for
19 Code Departments under Section 35.4 of the Civil
20 Administrative Code of Illinois.

21 Section 40. Sale or lease of Commission property. The
22 Commission may sell, convey, transfer, or lease any title or
23 interest in real estate owned by it to any person or persons,
24 to be used, subject to the restrictions of this Act, for the
25 purposes stated in Section 25, or for the purpose of serving
26 persons using the facilities offered within the District or
27 for carrying out of any aspect of the Commission's purpose as
28 set forth in Section 10 of this Act, subject to such
29 restrictions as to the use thereof as the Commission shall
30 determine will carry out the purpose of this Act. To assure
31 that the use of the real property so sold or leased is in
32 accordance with the provisions of this Act, the Commission

1 shall inquire into and satisfy itself concerning the
2 financial ability of the purchaser to complete the project
3 for which that real estate is sold or leased in accordance
4 with a plan to be presented by the purchaser or lessee, which
5 plan shall be submitted, in writing, to the Commission. The
6 purchaser or lessee shall under such plan undertake (1) to
7 use the land for the purposes designated in the plan so
8 presented; (2) to commence and complete the construction of
9 the buildings or other structures to be included in the
10 project within such periods of time as the Commission fixes
11 as reasonable; and (3) to comply with such other conditions
12 as the Commission shall determine are necessary to carry out
13 the project. Any real property sold by the Commission under
14 this Act shall be sold at its use value, which may be more or
15 less than its acquisition cost, and which use value
16 represents the value at which the Commission determines,
17 after a hearing by the Commission or by a person that the
18 Commission designates to hold the hearing, that the real
19 property should be made available for sale or rental in order
20 that it may be developed to accomplish the purposes of this
21 Act. In determining the use value of the real property, the
22 Commission shall take into consideration whether or not the
23 property is to be used by a wholly or partially tax supported
24 body created under the laws of the State of Illinois, by any
25 department of the State government or any political
26 subdivision of the State, by a charitable institution, or by
27 a private person or institution operating for profit; and the
28 Commission shall also consider the contribution that the
29 project will make toward the development of the District and
30 the furtherance of the purposes of this Act in determining
31 such use price. However, the Commission may convey the fee
32 simple title to land acquired by it, without the payment of
33 any consideration, to the State of Illinois, any political
34 subdivision thereof, or to any body politic and corporate or

1 public corporation created under the laws of the State of
2 Illinois for the carrying out of any function of the State.
3 At any hearing for the purpose of the Commission's making the
4 aforesaid determinations, an investigation should be made and
5 such witnesses and documentary evidence examined as will have
6 bearing on the use value of the property to be sold or leased
7 as is herein provided. The Commission shall designate a
8 Commissioner or other person of legal age to conduct the
9 hearing, and the Commissioner or other person so designated
10 shall give reasonable notice to the interested parties of the
11 time, place, and purpose for the holding of the hearing. The
12 Commissioner or other person designated by the Commission to
13 hold the hearing shall have the power to administer oaths and
14 affirmations, shall cause to be taken the testimony of
15 witnesses and the production of papers, books, records,
16 accounts, and documents, and shall certify to the Commission
17 the record of the proceedings held before him or her in
18 connection with the hearing. The record of proceedings shall
19 become a part of the records of the Commission. All
20 conveyances and leases authorized in this Section shall be on
21 condition that, in the event of use for other than the
22 purposes prescribed in this Act, or of nonuse for a period of
23 one year, title to such property shall revert to the
24 Commission. All conveyances and leases made by the Commission
25 to any corporation or person serving or using the facilities
26 offered within the District shall be on condition that in the
27 event of violation of any of the restrictions as to the use
28 thereof as the Commission shall have determined will carry
29 out the purposes of this Act, that title to such property
30 shall revert to the Commission. However, if the Commission
31 finds that financing necessary for the acquisition or lease
32 of any real estate or for the construction of any building or
33 improvement to be used for purposes prescribed in this Act
34 cannot be obtained if title to the land or building or

1 improvement is subject to such reverter provision, which
2 finding shall be made by the Commission after public hearing
3 held pursuant to a single publication notice given in a
4 secular newspaper of general circulation in the Counties of
5 Madison and St. Clair at least 10 days prior to the date of
6 such hearing, such notice to specify the time, place, and
7 purpose for such hearing, and upon such finding being made,
8 the Commission may cause such real property to be conveyed
9 free of such reverter provision, provided that at least 5
10 members of the Commission vote in favor thereof. The
11 Commission may also provide in the conveyances, leases, or
12 other documentation provisions for notice of such violations
13 or default and the cure thereof for the benefit of any lender
14 or mortgagee as the Commission shall determine are
15 appropriate. If, at a regularly scheduled meeting, the
16 Commission resolves that a parcel of real estate leased by
17 it, or in which it has sold the fee simple title or any
18 lesser estate, is not being used for the purposes prescribed
19 in this Act or has been in nonuse for a period of one year,
20 the Commission may file a lawsuit in the circuit court of the
21 county in which the property is located to enforce the terms
22 of the sale or lease. In the event a reverter of title to any
23 property is ordered by the court pursuant to the terms of
24 this Act, the interest of the Commission shall be subject to
25 any then existing valid mortgage or trust deed in the nature
26 of a mortgage, but in case the title is acquired through
27 foreclosure of such mortgage or trust deed or by deed in lieu
28 of foreclosure of such mortgage or trust deed, then the title
29 to the property shall not revert, but shall be subject to the
30 restrictions as to use, but not any penalty for nonuse,
31 contained in this Act with respect to any mortgagee in
32 possession or its successor or assigns.

33 No conveyance of real property shall be executed by the
34 Commission without the prior written approval of the

1 Governor. Commission property leased or occupied by others
2 for purposes permitted under this Act or Commission property
3 held for redevelopment shall not constitute "property" for
4 the purposes of the State Property Control Act.

5 Section 45. Notice to grantees and lessees. Prior to the
6 holding of any public hearing prescribed in Section 40 of
7 this Act, or any meeting regarding the passage of any
8 resolution to file a lawsuit, the Commission shall give
9 notice to the grantee or lessee, or his, her, or their legal
10 representatives, successors, or assigns, of the time and
11 place of such proceeding. The notice shall be accompanied by
12 a statement signed by the secretary of the Commission, or by
13 any person authorized by the Commission to sign the same,
14 setting forth any act or things done or omitted to be done in
15 violation, or claimed to be in violation, of any restriction
16 as to the use of such property, whether that restriction is
17 prescribed in any of the terms of this Act or by any
18 restriction as to the use of such property determined by the
19 Commission under the terms of this Act. The notice of the
20 time and place fixed for the proceeding shall also be given
21 to such person or persons as the Commission shall deem
22 necessary. The notice shall be given by certified mail,
23 return receipt requested, addressed to such grantee, lessee,
24 or to their legal representatives, successors, or assigns, at
25 the last known address of such grantee, lessee, or their
26 legal representatives, successors, or assigns.

27 Section 50. Rules. The Commission shall have power to
28 adopt reasonable and proper rules relative to the exercise of
29 its powers, and proper rules to govern its proceedings and to
30 regulate the mode and manner of all hearings held by it or at
31 its direction, and to alter and amend those rules.

1 Section 55. Evidence. Copies of all official documents,
2 findings, and orders of the Commission, certified by a
3 Commissioner or by the secretary of the Commission to be true
4 copies of the originals thereof, under the official seal of
5 the Commission, shall be evidence in like manner as the
6 originals.

7 Section 60. Judicial review. Any party may obtain a
8 judicial review of final orders or decision of the Commission
9 in the circuit court of the county in which the property
10 involved in the proceeding is situated, or if such property
11 is situated in more than one county, then of any one of such
12 counties, only under and in accordance with the provisions of
13 the Administrative Review Law. The circuit court shall take
14 judicial notice of all the rules of practice and procedure of
15 the Commission.

16 Section 65. Park land. The Commission may set apart any
17 part of the District as a park and may construct, control,
18 and maintain the same or may provide by contract with the
19 corporate authorities of the unit of local government in
20 which the park is to be located for the construction,
21 control, and maintenance of the area within the District set
22 apart as a park.

23 Section 70. Master plan; improvement and management of
24 District; building regulations; zoning. The Commission shall
25 prepare a comprehensive master plan for the orderly
26 development of all property within the District. The
27 Commission shall so improve and manage the District as to
28 provide conditions most favorable for the purposes described
29 in Section 25. The Commission shall, by ordinance in the
30 manner hereinafter set forth, classify, regulate, and
31 restrict the location and construction of all buildings

1 within the District, shall regulate the height and size of
2 such buildings, determine the area of open space within and
3 around such buildings, fix standards of construction,
4 control, and regulate additions to or alterations of existing
5 buildings and prohibit the use of buildings and structures
6 incompatible with the character of the District, to the end
7 that adequate light, air, quietness, and safety from fire and
8 other dangers may be secured. However, the power herein
9 conferred shall not be so exercised as to deprive any owner
10 of any existing property of its use or maintenance for the
11 purpose to which it is now lawfully devoted nor to limit the
12 expansion, design, location, maintenance, use, or occupancy
13 of real property to be used by any governmental body, agency,
14 or instrumentality.

15 The Commission shall request the planning commissions of
16 the units of local government in whose territory the District
17 is located to recommend appropriate zoning regulations for
18 the District. If, at the end of 60 days following such
19 request, an ordinance or ordinances have not been submitted
20 by any such planning commission to the Commission, the
21 Commission may prepare a zoning ordinance either with or
22 without the advice of any such local planning commission.
23 When such zoning ordinance is ready for adoption, the
24 Commission shall cause notice of a public hearing to be
25 posted in at least 4 conspicuous places within the District,
26 at least 10 days before the date of such hearing. It shall
27 also publish notice of such hearing in some newspaper of
28 general circulation in the Counties of Madison and St. Clair
29 for 3 consecutive days. The hearing shall be held not earlier
30 than 10 days after the date of the last publication. Both
31 types of notice shall contain the time and place of such
32 hearing and the place where copies of the proposed ordinance
33 may be examined. The hearing shall be held at the time and
34 place specified and shall be adjourned from time to time

1 until all interested parties have had an opportunity to be
2 heard. The Commission shall invite the planning commissions
3 for the units of local government in whose territory the
4 District is located to attend such hearing and shall ask for
5 suggestions of those planning commissions as to the
6 modification of the proposed ordinance. However, all
7 ordinances adopted by the Commission shall be subject to all
8 restrictions upon the use and maintenance of property within
9 the District prescribed by the zoning ordinances of the units
10 of local government in which the property is located. After
11 the adoption of such zoning ordinance or any other proper
12 ordinance of the Commission, it may institute any appropriate
13 action to prevent or abate any unlawful act within the
14 District. Any government body, agency, or instrumentality
15 owning or occupying property within the District may consent
16 to be bound in whole or in part by the provisions of such
17 master plan or development ordinance adopted by the
18 Commission. The Commission may establish an advisory council
19 of 2 representatives of each of the major district members
20 owning or occupying facilities within the District totaling a
21 minimum of 500,000 square feet. Council members shall be
22 appointed by and serve at the pleasure of their respective
23 governing boards. The council may assist the Commission in
24 the fulfillment of its statutory purposes and
25 responsibilities and the maintenance of the District. At the
26 Commission's request, the council may review and make
27 recommendations to the Commission with respect to the
28 comprehensive master plan to be adopted by the Commission or
29 any plan of development or occupancy of its facilities within
30 the District presented to the Commission by any governmental
31 body, agency, or instrumentality. The Commission may upon a
32 unanimous request of the council provide for shared services
33 and facilities within the District for members of the
34 council. The Commission may provide, contract, and construct

1 facilities and charge and collect fees necessary to supply
2 these shared services and facilities so approved. The
3 Commission may utilize any powers specified within this Act
4 regardless of geographic boundary for or in support of a
5 specific project, activity, or development if that request is
6 made by a unanimous recommendation of all of the members of
7 the member council.

8 Section 75. Jurisdiction of units of local government.
9 This Act shall not be construed to limit the jurisdiction of
10 any unit of local government in whose territory the District
11 is located nor to impair any power now possessed by or
12 hereafter granted to any such unit of local government,
13 except such as are expressly granted to the Commission by
14 Section 70 of this Act. The property of the Commission shall
15 be exempt from taxation, and shall be subject to condemnation
16 by the State and any municipal corporation or agency of the
17 State for any State or municipal purpose under the provisions
18 for the exercise of the right of eminent domain under Article
19 VII of the Code of Civil Procedure, as amended.

20 Section 80. Disposition of money; income fund. All money
21 received by the Commission from the sale or lease of any
22 property, in excess of such amount expended by the Commission
23 for authorized purposes under this Act or as may be necessary
24 to satisfy the obligation of any revenue bond issued pursuant
25 to Section 30, shall be paid into the State Treasury for
26 deposit into the Metro East Academy Commission Income Fund
27 which is hereby created in the State Treasury; provided, that
28 the Commission is authorized to use all money received as
29 rentals for the purposes of planning, acquisition, and
30 development of property within the District, for the
31 operation, maintenance, and improvement of property of the
32 Commission, and for all purposes and powers set forth in this

1 Act. Beginning in 2003, not later than July 10 of each year,
2 the Commission shall transmit to the State Treasurer for
3 deposit into the Metro East Academy Commission Income Fund
4 all moneys on hand on the preceding June 30 in excess of
5 \$350,000 without deduction or offset of any kind, except that
6 the Commission may retain such additional funds as are
7 necessary to pay enforceable contractual obligations existing
8 as of June 30 and which will be paid not later than September
9 30 of that year. All moneys retained for the payment of
10 these obligations and not paid out by September 30, shall be
11 remitted in full to the State Treasury, without deduction or
12 offset of any kind, not later than October 10 of the same
13 year. All moneys held pursuant to this Section shall be
14 maintained in a depository approved by the State Treasurer.
15 The Auditor General shall, at least biennially, audit or
16 cause to be audited all records and accounts of the
17 Commission pertaining to the operation of the District.

18 Section 85. Severability. If any provision of this Act
19 is held invalid, such provision shall be deemed to be excised
20 from this Act and the invalidity thereof shall not affect any
21 of the other provisions of this Act. If the application of
22 any provision of this Act to any person or circumstance is
23 held invalid, it shall not affect the application of such
24 provision to persons or circumstances other than those as to
25 which it is held invalid.

26 Section 90. Legal Advisor. The Attorney General of the
27 State of Illinois shall be the legal advisor to and shall
28 prosecute or defend, as the case may be, all actions brought
29 by or against the Commission.

30 Section 97. The State Finance Act is amended by adding
31 Section 5.545 as follows:

1 (30 ILCS 105/5.545 new)

2 Sec. 5.545. The Metro East Academy Commission Income

3 Fund.