

1 AN ACT concerning local government.

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

4 Section 5. The 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.)

16 (70 ILCS 1860/2) (from Ch. 19, par. 285)

17 Sec. 2. When used in this Act:

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

20 "Terminal" means a public place, station or depot for
21 receiving and delivering baggage, mail, freight or express

1 matter and for any combination of such purposes, in connection
2 with the transportation of persons and property on water or
3 land or in the air.

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

18 "Port facilities" means all public structures, except
19 terminal facilities as defined herein, that are in, over, under
20 or adjacent to navigable waters and are necessary for or
21 incident to the furtherance of water commerce and includes the
22 widening and deepening of slips, harbors and navigable waters.

23 "Aircraft" means any contrivance now known or hereafter
24 invented, used or designed for navigation of, or flight in, the
25 air.

26 "Airport" means any locality, either land or water, which

1 is used or designed for the landing and taking off of aircraft,
2 or for the location of runways, landing fields, airdromes,
3 hangars, buildings, structures, airport roadways and other
4 facilities.

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

9 "Approach" means any path, course or zone defined by an
10 ordinance of the District or by other lawful regulation, on the
11 ground or in the air, or both, for the use of aircraft in
12 landing and taking off from an airport located within the
13 District.

14 "Commercial aircraft" means any aircraft other than public
15 aircraft engaged in the business of transporting persons or
16 property.

17 "Private aircraft" means any aircraft other than public and
18 commercial aircraft.

19 "Public aircraft" means an aircraft used exclusively in the
20 governmental service of the United States, or of any state or
21 of any public agency, including military and naval aircraft.

22 "Public airport" means an airport owned by a Port District,
23 an airport authority or other public agency which is used or is
24 intended for use by public, commercial and private aircraft and
25 by persons owning, managing, operating or desiring to use,
26 inspect or repair any such aircraft or to use any such airport

1 for aeronautical purposes.

2 "Public incinerator" means a facility for the disposal of
3 waste by incineration by any means or method for public use,
4 including, but not limited to, incineration and disposal of
5 industrial wastes.

6 "Public interest" means the protection, furtherance and
7 advancement of the general welfare and of public health and
8 safety and public necessity and convenience.

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

11 "Governmental agency" means the Federal, State and any
12 local governmental body, and any agency or instrumentality,
13 corporate or otherwise, thereof.

14 "Person" means any individual, firm, partnership,
15 corporation, both domestic and foreign, company, association
16 or joint stock association; and includes any trustee, receiver,
17 assignee or personal representative thereof.

18 "General obligation bond" means any bond issued by the
19 District any part of the principal or interest of which bond is
20 to be paid by taxation.

21 "Revenue bond" means any bond issued by the District the
22 principal and interest of which bond is payable solely from
23 revenues or income derived from terminal, terminal facilities
24 or port facilities of the District.

25 "Board" means the America's Central ~~Tri-City~~ Port District
26 Board.

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

2 "Mayor" means the Mayor of the city of Venice, the Mayor of
3 the city of Madison or the Mayor of the city of Granite City,
4 as the case may require.

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

6 (70 ILCS 1860/3) (from Ch. 19, par. 286)

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

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

22 (70 ILCS 1860/4) (from Ch. 19, par. 287)

23 Sec. 4. The Port District has the following rights and
24 powers:

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

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

16 3. To locate and establish dock lines and shore or harbor
17 lines;

18 4. To regulate the anchorage, moorage and speed of water
19 borne vessels and to establish and enforce regulations for the
20 operation of bridges, except nothing contained in this
21 paragraph 4 shall be construed to give the District authority
22 to regulate the operation of any bridge crossing a waterway
23 which serves as a boundary between the State of Illinois and
24 any other State, when such operation is performed or to be
25 performed by any city within the District;

26 5. To acquire, own, construct, lease for any period not

1 exceeding 99 years, operate and maintain terminals, terminal
2 facilities and port facilities, to fix and collect just,
3 reasonable, and nondiscriminatory charges for the use of such
4 facilities, and, except as provided herein for short term
5 financing, to use the charges so collected to defray the
6 reasonable expenses of the Port District and to pay the
7 principal of and interest on any revenue bonds issued by the
8 District;

9 6. To acquire, erect, construct, reconstruct, improve,
10 maintain, operate and lease in whole or part for any period not
11 exceeding 99 years, central office or administrative
12 facilities for use by the Port District, any tenant, occupant
13 or user of the District facilities, or anyone engaged in
14 commerce in the District.

15 7. To sell, assign, pledge or hypothecate in whole or in
16 part any contract, lease, income, charges, tolls, rentals or
17 fees of the District to provide short term interim financing
18 pending the issuance of revenue bonds by the District, provided
19 that when such revenue bonds are issued, such contracts,
20 leases, income, charges, tolls, rentals or fees shall be used
21 to defray the reasonable expenses of the Port District and pay
22 the principal of and income on any revenue bonds issued by the
23 District;

24 8. To acquire, own, construct, lease for any period not
25 exceeding 99 years, operate, develop and maintain Port District
26 water and sewerage systems including but not limited to pipes,

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

16 9. To create, establish, maintain and operate a public
17 incinerator for waste disposal by incineration by any means or
18 method, for use by municipalities for the disposal of municipal
19 wastes and by industries for the disposal of industrial waste;
20 and to lease land and said incineration facilities for the
21 operation of an incinerator for a term not exceeding 99 years
22 and to fix and collect just, reasonable and non-discriminatory
23 charges for the use of such incinerating facilities, and to use
24 the charges or lease proceeds to defray the reasonable expenses
25 of the Port District, and to pay the principal of and interest
26 on any revenue bonds issued by the Port District.

1 10. To locate, establish and maintain a public airport,
2 public airports and public airport facilities within its
3 corporate limits or within or upon any body of water adjacent
4 thereto, and to construct, develop, expand, extend and improve
5 any such airport or airport facilities;

6 11. To operate, maintain, manage, lease or sublease for any
7 period not exceeding 99 years, and to make and enter into
8 contracts for the use, operation or management of, and to
9 provide rules and regulations for, the operation, management or
10 use of, any public airport or public airport facility;

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

14 13. To establish, maintain, extend and improve roadways and
15 approaches by land, water or air to any such airport and to
16 contract or otherwise provide, by condemnation if necessary,
17 for the removal of any airport hazard or the removal or
18 relocation of all private structures, railways, mains, pipes,
19 conduits, wires, poles, and all other facilities and equipment
20 which may interfere with the location, expansion, development,
21 or improvement of airports or with the safe approach thereto or
22 take-off therefrom by aircraft, and to pay the cost of removal
23 or relocation; and, subject to the "Airport Zoning Act",
24 approved July 17, 1945, as amended, to adopt, administer and
25 enforce airport zoning regulations for territory which is
26 within its corporate limits or which extends not more than 2

1 miles beyond its corporate limits;

2 14. To restrict the height of any object of natural growth
3 or structure or structures within the vicinity of any airport
4 or within the lines of an approach to any airport and, when
5 necessary, for the reduction in the height of any such existing
6 object or structure, to enter into an agreement for such
7 reduction or to accomplish same by condemnation;

8 15. To agree with the state or federal governments or with
9 any public agency in respect to the removal and relocation of
10 any object of natural growth, airport hazard or any structure
11 or building within the vicinity of any airport or within an
12 approach and which is owned or within the control of such
13 government or agency and to pay all or an agreed portion of the
14 cost of such removal or relocation;

15 16. For the prevention of accidents, for the furtherance
16 and protection of public health, safety and convenience in
17 respect to aeronautics, for the protection of property and
18 persons within the District from any hazard or nuisance
19 resulting from the flight of aircraft, for the prevention of
20 interference between, or collision of, aircraft while in flight
21 or upon the ground, for the prevention or abatement of
22 nuisances in the air or upon the ground or for the extension or
23 increase in the usefulness or safety of any public airport or
24 public airport facility owned by the District, the District may
25 regulate and restrict the flight of aircraft while within or
26 above the incorporated territory of the District;

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

20 18. To enter into agreements with the corporate authorities
21 or governing body of any other municipal corporation or any
22 political subdivision of this State to pay the reasonable
23 expense of services furnished by such municipal corporation or
24 political subdivision for or on account of income producing
25 properties of the District;

26 19. To enter into contracts dealing in any manner with the

1 objects and purposes of this Act;

2 20. To acquire, own, lease, sell or otherwise dispose of
3 interests in and to real property and improvements situate
4 thereon and in personal property necessary to fulfill the
5 purposes of the District;

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

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

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

20 24. To operate, maintain, manage, lease, or sublease for
21 any period not exceeding 99 years any former military base
22 owned or leased by the District and within its jurisdictional
23 boundaries, to make and enter into any contract for the use,
24 operation, or management of any former military base owned or
25 leased by the District and located within its jurisdictional
26 boundaries, and to provide rules and regulations for the

1 development, redevelopment, and expansion of any former
2 military base owned or leased by the District and located
3 within its jurisdictional boundaries;

4 25. To locate, establish, re-establish, expand or renew,
5 construct or reconstruct, operate, and maintain any facility,
6 building, structure, or improvement for a use or a purpose
7 consistent with any use or purpose of any former military base
8 owned or leased by the District and located within its
9 jurisdictional boundaries;

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

19 27. To cause to be incorporated one or more subsidiary
20 business corporations, wholly owned by the District, to own,
21 operate, maintain, and manage facilities and services related
22 to any telephone system, pursuant to paragraph 26. A subsidiary
23 corporation formed pursuant to this paragraph shall (i) be
24 deemed a telecommunications carrier, as that term is defined in
25 Section 13-202 of the Public Utilities Act, (ii) have the right
26 to apply to the Illinois Commerce Commission for a Certificate

1 of Service Authority or a Certificate of Interexchange Service
2 Authority, and (iii) have the powers necessary to carry out
3 lawful orders of the Illinois Commerce Commission;

4 28. To improve, develop, or redevelop any former military
5 base situated within the boundaries of the District, in Madison
6 County, Illinois, and acquired by the District from the federal
7 government, acting by and through the United States Maritime
8 Administration, pursuant to any plan for redevelopment,
9 development, or improvement of that military base by the
10 District that is approved by the United States Maritime
11 Administration under the terms and conditions of conveyance of
12 the former military base to the District by the federal
13 government;

14 29. To acquire, erect, construct, maintain and operate
15 aquariums, museums, planetariums, climatrons and other
16 edifices for the collection and display of objects pertaining
17 to natural history or the arts and sciences, or sports
18 facilities and to permit the directors or trustees of any
19 corporation or society organized for the erection,
20 construction, maintenance and operation of an aquarium,
21 museum, planetarium, climatrons, sports facilities or other
22 such edifice to perform such erection, construction,
23 maintenance and operation on or within any property now or
24 hereafter owned by or under the control or supervision of the
25 District; and to contract with any such directors or trustees
26 relative to such acquisition, erection, construction,

1 maintenance and operation and to authorize such directors or
2 trustees to charge an admission fee, the proceeds of which
3 shall be devoted exclusively to such erection, construction,
4 maintenance and operation;

5 30. To acquire, erect, construct, reconstruct, improve,
6 maintain and operate one or more, or a combination or
7 combinations of, industrial buildings, office buildings,
8 residential buildings, buildings to be used as a factory, mill
9 shops, processing plants, packaging plants, assembly plants,
10 fabricating plants, and buildings to be used as warehouses and
11 other storage facilities;

12 31. To cause to be incorporated one or more subsidiary
13 business corporations to own, operate, maintain, and manage
14 facilities and services related to any terminal, terminal
15 facilities, airfields, airports, port facilities, or real
16 property of the District, whether as shareholder, partner, or
17 co-venturer, alone or in cooperation with federal, state, or
18 local governmental authorities or any other public or private
19 corporation or person or persons. Such subsidiary business
20 corporations and all of the property thereof, wholly or partly
21 owned, directly or indirectly, by the District, shall have the
22 same privileges and immunities as accorded to the District; and
23 subsidiary business corporations may borrow money or obtain
24 financial assistance from private lenders or federal and state
25 governmental authorities or issue revenue bonds with the same
26 kinds of security, and in accordance with the same procedures,

1 restrictions and privileges applicable when the District
2 obtains financial assistance or issues bonds for any of its
3 other authorized purposes.

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

5 (70 ILCS 1860/6) (from Ch. 19, par. 289)

6 Sec. 6. The District has power to apply for and accept
7 grants, loans, or appropriations from the federal government,
8 the State of Illinois, ~~and~~ Madison or Jersey Counties ~~County~~,
9 or any agency or instrumentality thereof to be used for any of
10 the purposes of the District and to enter into any agreements
11 with the federal, State, and county governments in relation to
12 such grants, loans or appropriations.

13 The District may petition any federal, state, municipal, or
14 local authority, administrative, judicial and legislative,
15 having jurisdiction in the premises, for the adoption and
16 execution of any physical improvement, change in method or
17 system of handling freight, warehousing, docking, lightering,
18 and transfer of freight, which in the opinion of the District
19 is designed to improve or better the handling of commerce in
20 and through the Port District or improve terminal or
21 transportation facilities therein.

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

23 (70 ILCS 1860/7.5)

24 Sec. 7.5. Authorization to borrow moneys. The District's

1 Board may borrow money from any bank or other financial
2 institution and may provide appropriate security for that
3 borrowing, if the money is repaid within 20 ~~3~~ years after the
4 money is borrowed. "Financial institution" means any bank
5 subject to the Illinois Banking Act, any savings and loan
6 association subject to the Illinois Savings and Loan Act of
7 1985, any savings bank subject to the Savings Bank Act, and any
8 federally chartered commercial bank or savings and loan
9 association organized and operated in this State pursuant to
10 the laws of the United States.

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

12 (70 ILCS 1860/8) (from Ch. 19, par. 291)

13 Sec. 8. The District has the continuing power to borrow
14 money and issue either general obligation bonds, after approval
15 by referendum as hereinafter provided, or revenue bonds without
16 referendum approval for the purpose of acquiring,
17 constructing, reconstructing, extending or improving
18 terminals, terminal facilities, airfields, airports and port
19 facilities, and for acquiring any property and equipment useful
20 for the construction, reconstruction, extension, improvement
21 or operation of its terminals, terminal facilities, airfields,
22 airports and port facilities, and for acquiring necessary
23 working cash funds.

24 The District may, pursuant to ordinance adopted by the
25 Board and without submitting the question to referendum, from

1 time to time issue and dispose of its interest bearing revenue
2 bonds and may also in the same manner from time to time issue
3 and dispose of its interest bearing revenue bonds to refund any
4 revenue bonds at maturity or pursuant to redemption provisions
5 or at any time before maturity with the consent of the holders
6 thereof.

7 If the Board desires to issue general obligation bonds it
8 shall adopt an ordinance specifying the amount of bonds to be
9 issued, the purpose for which they will be issued, the maximum
10 rate of interest they will bear which shall not be greater than
11 that permitted in "An Act to authorize public corporations to
12 issue bonds, other evidences of indebtedness and tax
13 anticipation warrants subject to interest rate limitations set
14 forth therein", approved May 26, 1970, as now or hereafter
15 amended. Such interest may be paid semiannually. The ordinance
16 shall also specify the date of maturity which shall not be more
17 than 20 years after the date of issuance, and levying a tax
18 that will be required to amortize such bonds. This ordinance is
19 not effective until it has been submitted to referendum of, and
20 approved by, the legal voters of the District. The Board shall
21 certify the ordinance and the question to the proper election
22 officials, who shall submit the question to the voters at an
23 election in accordance with the general election law. If a
24 majority of the vote is in favor of the issuance of the general
25 obligation bonds the county clerk shall annually extend taxes
26 against all taxable property within the District at a rate

1 sufficient to pay the maturing principal and interest of these
2 bonds.

3 The question shall be in substantially the following form:

4 -----

5	Shall general obligation bonds	
6	in the amount of \$.... be issued	YES
7	by <u>America's Central</u>	
8	the Tri City Regional Port	
9	District for the purpose of	-----
10	maturing in not more than	
11	years, bearing not more than%	NO
12	interest, and a tax levied to pay	
13	the principal and interest thereof?	

14 -----

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

16 (70 ILCS 1860/13) (from Ch. 19, par. 296)

17 Sec. 13. The Board may, after referendum approval, levy a
18 tax for corporate purposes of the District annually at the rate
19 approved by referendum, but which rate shall not exceed .05% of
20 the value of all taxable property within the Port District as
21 equalized or assessed by the Department of Revenue.

22 If the Board desires to levy such a tax it shall order that
23 the question be submitted at a referendum to be held within the
24 District. The Board shall certify the order and the question to
25 the proper election officials, who shall submit the question to

1 the voters at an election in accordance with the general
 2 election law. The Board shall cause the result of the election
 3 to be entered upon the records of the Port District. If a
 4 majority of the vote is in favor of the proposition, the Board
 5 may thereafter levy a tax for corporate purposes at a rate not
 6 to exceed that approved by referendum but in no event to exceed
 7 .05% of the value of all taxable property within the District
 8 as equalized or assessed by the Department of Revenue.

9 The question shall be in substantially the following form:

10 -----
 11 Shall America's Central
 12 ~~the Tri-City Regional~~
 13 Port District levy a tax for YES
 14 corporate purposes annually at
 15 a rate not to exceed% of -----
 16 the value of taxable property
 17 as equalized or assessed by the NO
 18 Department of Revenue?

19 -----

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

21 (70 ILCS 1860/15) (from Ch. 19, par. 298)

22 Sec. 15. The governing and administrative body of the Port
 23 District shall be a Board of Commissioners consisting of 9 ~~7~~
 24 members, to be known as the America's Central ~~Tri-City Regional~~
 25 Port District Board. All members of the Board shall be

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

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

17 (70 ILCS 1860/15.5)

18 Sec. 15.5. A mayor may hold the office of Commissioner of
19 America's Central ~~the Tri-City Regional~~ Port District
20 simultaneously with the office of mayor. Notwithstanding any
21 statute to the contrary, a mayor's acceptance of an appointment
22 as a Commissioner of America's Central ~~the Tri-City Regional~~
23 Port District does not terminate or impair the mayor's public
24 office.

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

1 (70 ILCS 1860/16) (from Ch. 19, par. 299)

2 Sec. 16. The Governor shall appoint 6 members of the Board
3 and the Mayor of the cities of Venice, Madison and Granite City
4 shall each appoint one member of the Board, for a total of 9
5 Board members. Within 60 days after the effective date of this
6 amendatory Act of the 98th General Assembly, the Governor shall
7 appoint 2 members residing in the area north of the Cahokia
8 Diversion Canal to represent that area, with one member
9 appointed for an initial term expiring May 31, 2016 and one
10 member appointed for an initial term expiring May 31, 2017. The
11 number of Board members appointed by the Governor from the area
12 north of the Cahokia Diversion Canal shall remain at 2 members
13 until such time that the gross operating revenues from the area
14 north of the Cahokia Diversion Canal exceeds 33% of the Port
15 District's total gross operating revenue, as certified by the
16 Port District's certified public accountant. When the gross
17 operating revenue exceeds this amount, the Governor shall, upon
18 the expiration of their term, replace a Board member who
19 resides in the area south of the Cahokia Diversion Canal with
20 an appointee that resides to the north of the Cahokia Diversion
21 Canal, for a total of 3 members who reside in the area north of
22 the Cahokia Diversion Canal. When the gross operating revenue
23 exceeds 45% of the Port District's total gross operating
24 revenue, as certified by the Port District's certified public
25 accountant, the Governor shall replace a Board member who

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

26 After the expiration of initial terms, each successor shall

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

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

17 (70 ILCS 1860/18) (from Ch. 19, par. 301)

18 Sec. 18. ~~As soon as possible after the appointment of the~~
19 ~~initial members, the Board shall organize for the transaction~~
20 ~~of business, select a chairman and a temporary secretary from~~
21 ~~its own number, and adopt bylaws and regulations to govern its~~
22 ~~proceedings.~~ The ~~initial~~ chairman and successors shall be
23 elected by the Board from time to time for a term of office as
24 provided in the District bylaws. However, such term of office
25 shall not exceed his term of office as a member of the Board.

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

2 (70 ILCS 1860/19) (from Ch. 19, par. 302)

3 Sec. 19. Regular meetings of the Board shall be held at
4 least once in each calendar month, the time and place of such
5 meetings to be fixed by the Board. Five ~~Four~~ members of the
6 Board shall constitute a quorum for the transaction of
7 business. All action of the Board shall be by ordinance or
8 resolution and the affirmative vote of at least 5 ~~4~~ members
9 shall be necessary for the adoption of any ordinance or
10 resolution. All such ordinances and resolutions before taking
11 effect shall be approved by the chairman of the Board, and if
12 he approves thereof he shall sign the same, and such as he does
13 not approve he shall return to the Board with his objections
14 thereto in writing at the next regular meeting of the Board
15 occurring after the passage thereof. But in the case the
16 chairman fails to return any ordinance or resolution with his
17 objections thereto by the time aforesaid, he shall be deemed to
18 have approved the same and it shall take effect accordingly.
19 Upon the return of any ordinance or resolution by the chairman
20 with his objections, the vote by which the same was passed
21 shall be reconsidered by the Board, and if upon such
22 reconsideration said ordinance or resolution is passed by the
23 affirmative vote of at least 6 ~~5~~ members, it shall go into
24 effect notwithstanding the veto of the chairman. All
25 ordinances, resolutions and all proceedings of the District and

1 all documents and records in its possession shall be public
2 records, and open to public inspection, except such documents
3 and records as are kept or prepared by the Board for use in
4 negotiations, legal actions or proceedings to which the
5 District is a party.

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

7 (70 ILCS 1860/25) (from Ch. 19, par. 308)

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

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

21 (70 ILCS 1860/33) (from Ch. 19, par. 316)

22 Sec. 33. At least 5% of the legal voters resident within
23 the limits of such proposed addition to the District shall
24 petition the circuit court for the county in which the major

1 part of the District is situated, to cause the question to be
2 submitted to the legal voters of such proposed additional
3 territory, whether such proposed additional territory shall
4 become a part of the District and assume a proportionate share
5 of the general obligation bonded indebtedness, if any, of the
6 District. Such petition shall be addressed to the court and
7 shall contain a definite description of the boundaries of the
8 territory to be embraced in the proposed addition.

9 Upon filing any such petition with the clerk of the court,
10 the court shall fix a time and place for a hearing upon the
11 subject of the petition.

12 Notice shall be given by the court to whom the petition is
13 addressed, or by the circuit clerk or sheriff of the county in
14 which such petition is made at the order and direction of the
15 court, of the time and place of the hearing upon the subject of
16 the petition at least 20 days prior thereto by at least one
17 publication thereof in any newspaper having general
18 circulation within the area proposed to be annexed, and by
19 mailing a copy of such notice to the mayor or president of the
20 board of trustees of all cities, villages and incorporated
21 towns within the District.

22 At the hearing all persons residing in or owning property
23 situated in the area proposed to be annexed to the District may
24 appear and be heard touching upon the sufficiency of the
25 petition. If the court finds that the petition does not comply
26 with the requirements of the law, the court shall dismiss the

1 petition; but if the court finds that the petition is
 2 sufficient the court shall enter an appropriate order and the
 3 clerk of the circuit court shall certify the order and the
 4 proposition to the proper election officials, who shall submit
 5 the proposition to the voters at an election in accordance with
 6 the general election law. In addition to the requirements of
 7 the general election law the notice of the referendum shall
 8 specify the purpose of such referendum with a description of
 9 the area proposed to be annexed to the District.

10 The proposition shall be in substantially the following
 11 form:

12 -----
 13 For joining America's Central
 14 ~~the Tri-City Regional~~ Port
 15 District and assuming a proportionate
 16 share of general obligation bonded
 17 indebtedness, if any.

18 -----
 19 Against joining America's Central
 20 ~~the Tri-City Regional~~
 21 Port District and assuming a proportionate
 22 share of general obligation bonded
 23 indebtedness, if any.

24 -----
 25 The court shall cause a statement of the result of such
 26 election to be filed in the records of the court.

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

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

11 (70 ILCS 1860/34) (from Ch. 19, par. 317)

12 Sec. 34. If there is territory contiguous to the District
13 which has no legal voters residing therein, a petition to annex
14 such territory, signed by all the owners of record of such
15 territory may be filed with the circuit court for the county in
16 which the major part of the District is situated. A time and
17 place for a hearing on the subject of the petition shall be
18 fixed and notice thereof shall be given in the manner provided
19 in Section 33. At such hearing any owner of land in the
20 territory proposed to be annexed, the District and any resident
21 of the District may appear and be heard touching on the
22 sufficiency of the petition. If the court finds that the
23 petition satisfies the requirements of this Section it shall
24 enter an order stating that thenceforth such territory shall be
25 an integral part of the America's Central ~~Tri-City Regional~~

1 Port District and subject to all of the benefits of service and
2 responsibilities, including the assumption of a proportionate
3 share of the general obligation bonded indebtedness, if any, of
4 the District. The circuit clerk shall transmit a certified copy
5 of the order of the court to the circuit clerk of any other
6 county in which the annexed territory is situated.

7 (Source: Laws 1967, p. 3692.)