



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4635

Introduced 02/04/04, by Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.625 new

Creates the Mid-America Medical District Act. Creates the Mid-America Medical District within the City of East Saint Louis. Provides that the District is governed by the Mid-America Medical District Commission. Describes the territory of the District. Contains provisions concerning grants, loans, contracts, property acquisition, eminent domain, construction, relocation assistance, bonds, sale or lease of property, hearings, rules, judicial review, master plans, funds, and other matters. Amends the State Finance Act to create the Mid-America Medical District Income Fund.

LRB093 15857 BDD 41474 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the
5 Mid-America Medical District Act.

6 Section 5. Creation of District. There is created in the
7 City of East Saint Louis the Mid-America Medical District,
8 hereinafter called the District, whose boundaries are Martin
9 Luther King Drive on the Northeast, 10th Street up to Trendley
10 Avenue on the Southeast, Trendley Avenue and the confluence of
11 I-64, I-70, and I-55 on the Southwest and West, and a line
12 north of Collinsville, parallel to Collinsville, so as to
13 include both sides of Collinsville on the Northwest, excluding
14 any part of the City Hall complex and any property belonging to
15 the federal government. The District is created to attract and
16 retain academic centers of excellence, viable health care
17 facilities, medical research facilities, emerging high
18 technology enterprises, and other facilities and uses as
19 permitted by this Act.

20 Section 10. Mid-America Medical District Commission.

21 (a) There is hereby created a body politic and corporate
22 under the corporate name of Mid-America Medical District
23 Commission, hereinafter called the Commission, whose general
24 purpose in addition to and not in limitation of those purposes
25 and powers set forth in other Sections of this Act is to:

26 (1) maintain the proper surroundings for a medical
27 center and a related technology center in order to attract,
28 stabilize, and retain therein hospitals, clinics, research
29 facilities, educational facilities, or other facilities
30 permitted under this Act;

31 (2) provide for the orderly expansion of (i) various

1 county and local governmental facilities as permitted
2 under this Act, (ii) other ancillary or related facilities
3 that the Commission may from time to time determine are
4 established and operated for any aspect of the carrying out
5 of the Commission's purposes as set forth in this Act, or
6 are established and operated for the study, diagnosis,
7 treatment, and prevention of human ailments and injuries,
8 whether physical or mental, or to promote medical,
9 surgical, and scientific research and knowledge as
10 permitted under this Act, (iii) medical research and high
11 technology parks, together with the necessary land,
12 buildings, facilities, equipment, and personal property
13 therefore, and (iv) facilities devoted to the research and
14 advancement of health care related issues and policies.

15 (b) The Commission shall have perpetual succession, power
16 to contract and be contracted with, to sue and be sued except
17 in actions sounding in tort, to plead and be impleaded, to have
18 and use a common seal, and to alter that seal at its pleasure.
19 All actions sounding in tort against the Commission shall be
20 prosecuted in the Court of Claims.

21 The principal office of the Commission shall be in the City
22 of East Saint Louis, and the Commission may establish other
23 offices within the State of Illinois at any places that the
24 Commission deems advisable. The Commission shall consist of 9
25 members, 4 of whom shall be appointed by the Governor, 2 by the
26 Mayor of East Saint Louis, and 3 by the Chairman of the County
27 Board of St. Clair County. All members shall hold office for a
28 term of 3 years and until their successors are appointed as
29 provided in this Act; provided, that as soon as possible after
30 the effective date of this Act, the Governor shall appoint 4
31 members for terms expiring, respectively, on December 31, 2005,
32 2006, 2007, and 2008, the St. Clair County Board Chairman shall
33 appoint 3 members for terms expiring, respectively, on December
34 31, 2005, 2006, and 2007, and the Mayor of East Saint Louis,
35 with the advice and consent of the City Council, shall appoint
36 2 members for terms expiring, respectively, on December 31,

1 2005, and 2006. Any vacancy in the membership of the Commission
2 occurring by reason of the death, resignation,
3 disqualification, removal or inability or refusal to act of any
4 of the members of the Commission shall be filled by the person
5 who had appointed the particular member, and for the unexpired
6 term of office of that particular member. A vacancy caused by
7 the expiration of the period for which the member was appointed
8 shall be filled by a new appointment for a term of 3 years from
9 the date of expiration of the prior 3 year term notwithstanding
10 when that appointment is actually made.

11 The Commission shall obtain, pursuant to the provisions of
12 the Personnel Code, any personnel that the Commission deems
13 advisable to carry out the purposes of this Act and the work of
14 the Commission. The Commission may appoint a General Attorney
15 and define the duties of that General Attorney.

16 The Commission shall hold regular meetings annually for the
17 election of a president, vice-presidents, a secretary, and a
18 treasurer, and for the adoption of a budget. Special meetings
19 may be called by the President or by any 2 members. Each member
20 shall take an oath of office for the faithful performance of
21 his or her duties. Five members of the Commission shall
22 constitute a quorum for the transaction of business. The
23 Commission shall submit, to the General Assembly, the Saint
24 Clair County Board, and the East Saint Louis City Council, not
25 later than March 1 of each odd-numbered year, a detailed report
26 covering its operations for the 2 preceding calendar years and
27 a statement of its program for the next 2 years. The
28 requirement for reporting to the General Assembly shall be
29 satisfied by filing copies of the report with the Speaker, the
30 Minority Leader, and the Clerk of the House of Representatives
31 and the President, the Minority Leader and the Secretary of the
32 Senate, and the Legislative Research Unit, as required by
33 Section 3.1 of the General Assembly Organization Act, and by
34 filing any additional copies with the State Government Report
35 Distribution Center for the General Assembly that is required
36 under paragraph (t) of Section 7 of the State Library Act.

1 The requirement for reporting to Saint Clair County shall
2 be satisfied by filing copies of the report with the Chairman
3 of the Saint Clair County Board. The requirement of reporting
4 to the East Saint Louis City Council shall be satisfied by
5 filing copies of the report with the City Clerk.

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

19 Section 20. Property; acquisition. The Commission is
20 authorized to acquire the fee simple title to real property
21 lying within the District and personal property required for
22 its purposes, by gift, purchase, or otherwise, and title
23 thereto shall be taken in the corporate name of the Commission.
24 The Commission may acquire by lease any real and personal
25 property found by the Commission to be necessary for its
26 purposes and to which the Commission finds that it need not
27 acquire the fee simple title for carrying out of its purposes.
28 All real and personal property within the District, except real
29 and personal property owned and used for purposes authorized
30 under this Act (i) by medical institutions or allied
31 educational institutions, hospitals, dispensaries, clinics, or
32 property that is used for dormitories or homes for the nurses,
33 doctors, students, instructors or other officers or employees
34 of these institutions located in the District, (ii) any real

1 property that is used for offices or for recreational purposes
2 in connection with these institutions, or (iii) any improved
3 residential property within a currently effective historical
4 district properly designated under a federal statute or a State
5 or local statute that has been certified by the Secretary of
6 the Interior to the Secretary of the Treasury as containing
7 criteria that will substantially achieve the purpose of
8 preserving and rehabilitating buildings of historical
9 significance to the District, may be acquired by the Commission
10 in its corporate name under the provisions for the exercise of
11 the right of eminent domain under Article VII of the Code of
12 Civil Procedure.

13 Section 25. Authority to construct or acquire. The
14 Commission may, in its corporate capacity, construct or cause
15 or permit to be constructed in the District, hospitals,
16 sanitariums, clinics, laboratories, or any other institution,
17 building or structure or other ancillary or related facilities
18 that the Commission may, from time to time, determine are
19 established and operated for the carrying out of any aspect of
20 the Commission's purpose as set forth in this Act or are
21 established and operated for the study, diagnosis, and
22 treatment of human ailments and injuries, whether physical or
23 mental, or to promote medical, surgical, and scientific
24 research and knowledge, or for any uses the Commission shall
25 determine will support and nurture facilities, and uses
26 permitted by this Act, or for such nursing, extended care, or
27 other facilities as the Commission shall find useful in the
28 study of, research in, or treatment of illnesses or infirmities
29 peculiar to aged people, after a public hearing to be held by
30 any Commissioner or other person authorized by the Commission
31 to conduct the same, at which Commissioner or other person
32 shall have the power to administer oaths and affirmations and
33 take the testimony of witnesses and receive any documentary
34 evidence as shall be pertinent, the record of which hearing he
35 or she shall certify to the Commission, which record shall

1 become part of the records of the Commission, notice of the
2 time, place, and purpose of the hearings to be given by a
3 single publication notice in a secular newspaper of general
4 circulation in St. Clair County at least 10 days prior to the
5 date of such hearing, or for such institutions as shall engage
6 in the training, education, or rehabilitation of persons who by
7 reason of illness or physical infirmity are wholly or partially
8 deprived of their powers of vision or hearing or of the use of
9 such other part or parts of their bodies as prevent them from
10 pursuing normal activities of life, or office buildings for
11 physicians or dealers in medical accessories, or dormitories,
12 homes or residences for the medical profession, including
13 interns, nurses, students or other officers or employees of the
14 institutions within the District, or for the use of relatives
15 of patients in the hospitals or other institutions within the
16 District, or for the rehabilitation or establishment of
17 residential structures within a currently effective historic
18 district properly designated under a federal statute or a State
19 or local statute that has been certified by the Secretary of
20 the Interior to the Secretary of the Treasury as containing
21 criteria which will substantially achieve the purpose of
22 preserving and rehabilitating buildings of historic
23 significance to the district, or such other areas of the
24 District as the Commission shall designate, for research,
25 development and resultant production, in any of the fields of
26 medicine, chemistry, pharmaceuticals, physics, and genetically
27 engineered products, for biotechnology, information
28 technology, medical technology, or environmental technology,
29 or for the research and development of engineering or for
30 computer technology related to any of the purposes for which
31 the Commission may construct structures and improvements
32 within the District. All such structures and improvements shall
33 be erected and constructed in accordance with the Illinois
34 Purchasing Act, to the same extent as if the Commission were a
35 Code Department. The Commission shall administer and exercise
36 ultimate authority with respect to the development and

1 operation of a technology park, and any extensions or expansion
2 thereof. In addition, the Commission may create a development
3 area within the area of the District. Within any district
4 development area the Commission may cause to be acquired or
5 constructed commercial and other types of development, public
6 and private, if the Commission determines that the commercial
7 developments are ancillary to and necessary for the support of
8 facilities within the District and any other purposes of the
9 District, after a public hearing held by a commissioner or the
10 person authorized by the Commission to conduct the hearing. The
11 Commissioner or other authorized persons shall have the power
12 to administer oaths and affirmations, take the testimony of
13 witnesses, receive pertinent evidence, and certify the record
14 of the hearing to the Commission. The record of the hearing
15 shall become part of the Commissions records. Notice of the
16 time, place, and purpose of the hearing shall be given by a
17 single publication notice in a secular newspaper of general
18 circulation in St. Clair County at least 10 days before the
19 date of the hearing. Additionally, the Commission may sell,
20 lease, develop, operate, and manage for any person, firm,
21 partnership, or corporation, either public or private, all or
22 any part of the land, buildings, facilities, equipment, or
23 other property included in the District development area and
24 any medical research and high technology park or the designated
25 commercial development area upon the terms and conditions the
26 Commission may deem advisable, and may enter into any contract
27 or agreement with any person, firm, partnership, or
28 corporation, either public or private, or any combination of
29 the foregoing, as may be necessary or suitable for the
30 creation, marketing, development, construction,
31 reconstruction, rehabilitation, financing, operation and
32 maintenance, and management of the District development area
33 and any technology park or designated commercial development
34 area; and may sell or lease to any person, firm, partnership,
35 or corporation, either public or private, any part or all of
36 the land, building, facilities, equipment, or other property of

1 the park or the designated commercial development area upon the
2 rentals, terms, and conditions as the Commission may deem
3 advisable; and may finance all or part of the cost of the
4 Commission's development and operation of the District
5 development area as well as any park or the designated
6 commercial development area, including the creation,
7 marketing, development, purchase, lease, construction,
8 reconstruction, rehabilitation, improvement, remodeling,
9 addition to, extension, and maintenance of all or part of the
10 high technology park or the designated commercial development
11 area, and all equipment and furnishings, by legislative
12 appropriations, government grants, contracts, private gifts,
13 loans, bonds, receipts from the sale or lease of land for the
14 operation of the District and any high technology park or the
15 designated commercial development area, rentals, and similar
16 receipts or other sources of revenue legally available for
17 these purposes. The Commission also may defray the expenses of
18 the operation of the District development area and technology
19 park, improvements to the District development area and
20 technology park, provision of shared services, common
21 facilities and common area expenses, benefiting owners and
22 occupants of property within the District development area and
23 the technology park by general assessment, special assessment,
24 or the imposition of service or user fees. As to the entities
25 eligible to be members of the advisory District Member Council,
26 such assessments or impositions may be undertaken only with
27 District Member Council consent as provided in Section 8. For a
28 period of 6 years after the enactment of this Act, the
29 Commission may acquire any real and personal property within
30 the District by immediate vesting of title, commonly referred
31 to as "quick-take", pursuant to Sections 7-103 through 7-112 of
32 the Code of Civil Procedure.

33 Section 30. Relocation assistance; mandatory acquisition
34 of gift or voluntary purchase. The Commission may provide
35 relocation assistance to persons and entities displaced by the

1 Commission's acquisition of property and improvement of the
2 District. The Commission is also authorized to acquire private
3 real property by gift or voluntary purchase without the
4 District if the Commission finds that the acquisition by gift
5 or voluntary purchase is reasonably necessary to further and
6 carry out the purposes of this Act.

7 Section 35. Borrowing money; revenue bonds; record of bonds
8 issued. To obtain the funds necessary for financing the
9 acquisition of land, the acquisition or construction of any
10 building, and for the operation of the District set forth in
11 this Act, the Commission may borrow money from any public or
12 private agency, department, corporation, or person. In
13 evidence of and as security for funds borrowed, the Commission
14 may issue revenue bonds in its corporate capacity to be payable
15 from the revenues derived from the operation of the
16 institutions or buildings owned, leased, or operated by or on
17 behalf of the Commission, but the bonds shall in no event
18 constitute an indebtedness of the Commission or a claim against
19 the property of the Commission. The bonds may be issued in such
20 denominations as may be expedient and in such amounts and at
21 such rates of interest as the Commission shall deem necessary
22 to provide sufficient funds to pay all the costs of acquiring
23 land, the construction, acquisition, equipping, and operation
24 of buildings within the District, including engineering and
25 other expenses. The bonds shall be executed by the President of
26 the Commission, attested by the Secretary and sealed with the
27 Commission's corporate seal. In case either of the officers of
28 the Commission who have signed or attested any of the bonds
29 have ceased to be an officer before delivery of such bonds, the
30 signature of the officer shall be valid and sufficient to the
31 same effect as if the officer had remained in office at the
32 time of such delivery. The Commission shall furnish the State
33 Comptroller with a record of all bonds issued under this Act.

34 Section 40. Powers of the Department of Central Management

1 Services concerning the District. The Department of Central
2 Management Services shall exercise the same powers in regard to
3 the Commission as it exercises for Code Departments under
4 Section 405-15 of the Department of Central Management Services
5 Law (20 ILCS 405/).

6 Section 45. Transfer of real property. The Commission may
7 sell, convey, transfer, or lease any title or interest in real
8 estate owned by it to any person or persons to be used, subject
9 to the restrictions of this Act, for the purposes stated in
10 Section 25, or for the purpose of serving persons using the
11 facilities offered within the District or for carrying out of
12 any aspect of the Commission's purpose as set forth in Section
13 10 of this Act, subject to any restrictions as to the use
14 thereof that the Commission determines will carry out the
15 purpose of this Act. To assure that the use of the real
16 property so sold or leased is in accordance with the provisions
17 of this Act, the Commission shall inquire into and satisfy
18 itself concerning the financial ability of the purchaser to
19 complete the project for which the real estate is sold or
20 leased in accordance with a plan to be presented by the
21 purchaser or lessee, which must be submitted, in writing, to
22 the Commission. The purchaser or lessee shall under the plan
23 undertake: (i) to use the land for the purposes designated in
24 the plan so presented; (ii) to commence and complete the
25 construction of the buildings or other structures to be
26 included in the project within such periods of time as the
27 Commission fixes as reasonable; and (iii) to comply with such
28 other conditions as the Commission shall determine are
29 necessary to carry out the project. Any real property sold by
30 the Commission pursuant to the provisions of this Act shall be
31 sold at its use value, which may be more or less than its
32 acquisition cost and which represents the value at which the
33 Commission determines, after a hearing by the Commission or by
34 such person as the Commission designates to hold the hearing,
35 the real property should be made available for sale or rental

1 in order that it may be developed for the accomplishment of the
2 purposes of this Act. In determining the use value of the real
3 property, the Commission shall take into consideration whether
4 or not said property is to be used by a wholly or partially tax
5 supported body created under the laws of the State of Illinois,
6 by any department of the State government or any political
7 subdivision of the State, by a charitable institution, or by a
8 private person or institution operating for profit; and the
9 Commission shall also consider the contribution that the
10 project will make toward the development of the District and
11 the furtherance of the purposes of this Act in determining the
12 use price, provided, however, that the Commission may convey
13 the fee simple title to land acquired by it, without the
14 payment of any consideration, to the State of Illinois, any
15 political subdivision thereof, or to any body politic and
16 corporate or public corporation created under the laws of the
17 State of Illinois for the carrying out of any function of the
18 State. At any hearing for the purpose of the Commission's
19 making these determinations, an investigation must be made and
20 any witnesses and documentary evidence examined that will have
21 bearing on the use value of the property to be sold or leased.
22 The Commission shall designate a Commissioner or other person
23 of legal age to conduct the hearing, and the Commissioner or
24 other person so designated by the Commission shall give
25 reasonable notice to the interested parties of the time, place,
26 and purpose for the holding of the hearing. The Commissioner or
27 other person designated by the Commission to hold the hearing
28 shall have the power to administer oaths and affirmations and
29 shall cause to be taken the testimony of witnesses and the
30 production of papers, books, records, accounts and documents;
31 and the person so designated to hold the hearing shall certify
32 to the Commission the record of the proceedings held before him
33 or her in connection with the hearing. The record of
34 proceedings shall become a part of the records of the
35 Commission. All conveyances and leases authorized in this
36 Section shall be on condition that, in the event of use for

1 other than the purposes prescribed in this Act, or of nonuse
2 for a period of one year, title to the property shall revert to
3 the Commission. All conveyances and leases made by the
4 Commission to any corporation or person for use of serving the
5 residents or any person using the facilities offered within the
6 District shall be on condition that in the event of violation
7 of any of the restrictions as to the use thereof as the
8 Commission shall have determined will carry out the purposes of
9 this Act, that title to such property shall revert to the
10 Commission. However, if the Commission finds that financing
11 necessary for the acquisition or lease of any real estate or
12 for the construction of any building or improvement to be used
13 for purposes prescribed in this Act cannot be obtained if title
14 to the land or building or improvement is subject to this
15 reverter provision, which finding shall be made by the
16 Commission after public hearing held pursuant to a single
17 publication notice given in a secular newspaper of general
18 circulation in Saint Clair County at least 10 days prior to the
19 date of the hearing, such notice to specify the time, place and
20 purpose for such hearing, and upon such finding being made, the
21 Commission may cause the real property to be conveyed free of
22 the reverter provision, provided that at least 6 members of the
23 Commission vote in favor thereof. The Commission may also
24 provide in the conveyances, leases, or other documentation
25 provisions for notice of such violations or default and the
26 cure thereof for the benefit of any lender or mortgagee as the
27 Commission shall determine are appropriate. If, at a regularly
28 scheduled meeting, the Commission resolves that a parcel of
29 real estate leased by it, or in which it has sold the fee
30 simple title or any lesser estate, is not being used for the
31 purposes prescribed in this Act or has been in nonuse for a
32 period of one year, the Commission may file a law suit in the
33 circuit court of the county in which the property is located to
34 enforce the terms of the sale or lease. In the event a reverter
35 of title to any property is ordered by the court pursuant to
36 the terms of this Act, the interest of the Commission shall be

1 subject to any then existing valid mortgage or trust deed in
2 the nature of a mortgage, but in case the title is acquired
3 through foreclosure of the mortgage or trust deed or by deed in
4 lieu of foreclosure of the mortgage or trust deed, then the
5 title to the property shall not revert, but shall be subject to
6 the restrictions as to use, but not any penalty for nonuse,
7 contained in this Act with respect to any mortgagee in
8 possession or its successor or assigns.

9 No conveyance of real property shall be executed by the
10 Commission without the prior written approval of the Governor.
11 Commission property leased or occupied by others for purposes
12 permitted under this Act or Commission property held for
13 redevelopment shall not constitute "property" for the purposes
14 of the State Property Control Act.

15 Section 50. Notice of hearing for property transfer. Prior
16 to the holding of any public hearing prescribed in Section 45
17 of this Act, or any meeting regarding the passage of any
18 resolution to file a law suit, the Commission shall give notice
19 to the grantee or lessee, or his or her legal representatives,
20 successors or assigns, of the time and place of the proceeding.
21 The notice shall be accompanied by a statement signed by the
22 Secretary of the Commission, or by any person authorized by the
23 Commission to sign the same, setting forth any act or things
24 done or omitted to be done in violation, or claimed to be in
25 violation, of any restriction as to the use of the property,
26 whether the restriction be prescribed in any of the terms of
27 this Act or by any restriction as to the use of the property
28 determined by the Commission pursuant to the terms of this Act.
29 This notice of the time and place fixed for the proceeding
30 shall also be given to any person or persons as the Commission
31 shall deem necessary. The notice may be given by registered
32 mail, addressed to the grantee, lessee, or to his or her legal
33 representatives, successors or assigns, at the last known
34 address of the grantee, lessee, or his or her legal
35 representatives, successors, or assigns.

1 Section 55. Rules and regulations. The Commission may adopt
2 reasonable and proper rules and regulations relative to the
3 exercise of its powers, and proper rules to govern its
4 proceedings, and to regulate the mode and manner of all
5 hearings held by it or at its direction, and to alter and amend
6 same.

7 Section 60. Copies of documents as evidence. Copies of all
8 official documents, findings, and orders of the Commission,
9 certified by a Commissioner or by the Secretary of the
10 Commission to be true copies of the originals thereof, under
11 the official seal of the commission, shall be evidence in like
12 manner as the originals.

13 Section 65. Judicial review. Any party may obtain a
14 judicial review of final orders or decision of the Commission
15 in the circuit court of the county in which the property
16 involved in such proceeding is situated, or if such property is
17 situated in more than one county, then of any one of such
18 counties, only under and in accordance with the provisions of
19 the Administrative Review Law, and all existing and future
20 amendments and modifications thereof, and the rules now or
21 hereafter adopted pursuant thereto. The circuit court shall
22 take judicial notice of all the rules of practice and procedure
23 of the Commission.

24 Section 70. Public park. The Commission may set apart any
25 part of the District as a park and may construct, control, and
26 maintain the same or may provide by contract with the City of
27 East Saint Louis, Saint Clair County, the State of Illinois, or
28 the United States, for the construction, control and
29 maintenance of any area within the District set apart as a
30 park.

31 Section 75. Master plan; improvement and management of

1 District; building regulations; zoning. The Commission shall
2 prepare a comprehensive master plan for the orderly development
3 of all property within the District. The Commission shall so
4 improve and manage the District as to provide conditions most
5 favorable for the special care and treatment of the sick and
6 injured and for the study of disease and for any other purpose
7 in Section 25 of this Act. The Commission shall, by ordinance,
8 classify, regulate and restrict the location and construction
9 of all buildings within the District, shall regulate the height
10 and size of the buildings, determine the area of open space
11 within and around the buildings, fix standards of construction,
12 control and regulate additions to or alterations of existing
13 buildings and prohibit the use of buildings and structures
14 incompatible with the character of the District, to the end
15 that adequate light, air, quietness, and safety from fire and
16 from the communication of diseases and other dangers may be
17 secured. Provided, that the power herein conferred shall not be
18 so exercised as to deprive any owner of any existing property
19 of its use or maintenance for the purpose to which it is now
20 lawfully devoted nor to limit the expansion, design, location,
21 maintenance, use, or occupancy of real property to be used by
22 any governmental body, agency, or instrumentality in any manner
23 set forth in this Section, provided that the property is
24 devoted to any use or purpose permitted under this Act. Further
25 provided, the power herein conferred shall not be exercised to
26 restrict the use for any State or county purpose of any
27 buildings existing within the District at the time of enactment
28 and either owned, operated, or managed on behalf of the county
29 or by the Department of Central Management Services or for
30 which the Department of Central Management Services shall be
31 otherwise responsible as provided by law.

32 The Commission shall request the City Council of the City
33 of East Saint Louis to recommend appropriate zoning regulations
34 for the District that co-ordinate with the zoning of the
35 surrounding sections of the City of East Saint Louis. If, at
36 the end of 60 days following this request, an ordinance has not

1 been submitted to the Commission, the Commission may prepare a
2 zoning ordinance either with or without the advice of the City
3 Council. When the zoning ordinance is ready for adoption, the
4 Commission shall cause notice of a public hearing to be posted
5 in at least 4 conspicuous places within the District, at least
6 10 days before the date of the hearing. It shall also publish
7 notice of the hearing in some newspaper of general circulation
8 in Saint Clair County for 3 consecutive days. The hearing shall
9 be held not earlier than 10 days after the date of the last
10 publication. Both types of notice shall contain the time and
11 place of the hearing and the place where copies of the proposed
12 ordinance may be examined. The hearing shall be held at the
13 time and place specified and shall be adjourned from time to
14 time until all interested parties have had an opportunity to be
15 heard. The Commission shall invite the City Council and City
16 Manager to attend the hearing and shall ask for suggestions of
17 the City Council and Manager as to the modification of the
18 proposed ordinance. After the adoption of the zoning ordinance
19 or any other proper ordinance of the Commission, it may
20 institute any appropriate action to prevent or abate any
21 unlawful act within the District. Any government body, agency,
22 or instrumentality owning or occupying property within the
23 District may consent to be bound in whole or in part by the
24 provisions of the master plan or development ordinance adopted
25 by the Commission. The Commission must establish an advisory
26 council of 2 representatives of each of the major District
27 members owning or occupying facilities within the District,
28 with major members to be determined by regulations of the
29 Commission. Council members shall be appointed by and serve at
30 the pleasure of their respective governing boards. The council
31 may assist the Commission in the fulfillment of its statutory
32 purposes and responsibilities and the maintenance of the
33 District. At the Commission's request, the council may review
34 and make recommendations to the Commission with respect to the
35 comprehensive master plan to be adopted by the Commission or
36 any plan of development or occupancy of its facilities within

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

12 Section 80. Jurisdiction and power of City of East St.
13 Louis; tax exemption for Commission property; condemnation of
14 Commission property. This Act shall not be construed to limit
15 the jurisdiction of the City of East Saint Louis to territory
16 outside the limits of the District nor to impair any power now
17 possessed by or hereafter granted to the City of East Saint
18 Louis or to cities generally except that those are expressly
19 granted to the Commission by Section 75 of this Act.

20 The property of the Commission shall be exempt from
21 taxation, and shall be subject to condemnation by the State and
22 any municipal corporation or agency of the State for any State
23 or municipal purpose under the provisions for the exercise of
24 the right of eminent domain under Article VII of the Code of
25 Civil Procedure, as amended.

26 Section 85. Disposition of moneys; income fund. All money
27 received by the Commission from the sale or lease of any
28 property, in excess of any amount expended by the Commission
29 for authorized purposes under this Act or as may be necessary
30 to satisfy the obligation of any revenue bond issued pursuant
31 to Section 35, shall be paid into the State Treasury for
32 deposit into the Mid-America Medical District Income Fund
33 provided, however, that the Commission is authorized to use all
34 money received as rentals for the purposes of planning,

1 acquisition, and development of property within the District
2 and operation, maintenance and improvement of property of the
3 Commission and for all purposes and powers set forth in this
4 Act. Upon enactment, not later than July 10 of each year, the
5 Commission shall transmit to the State Treasurer for deposit
6 into the Fund all moneys on hand at June 30 in excess of
7 \$500,000 without deduction or offset of any kind, except that
8 the Commission may retain such additional funds as are
9 necessary to pay enforceable contractual obligations existing
10 as of June 30 and that will be paid not later than September 30
11 of that year. All moneys retained for the payment of these
12 obligations and not paid out by September 30, shall be remitted
13 in full to the State Treasury, without deduction or offset of
14 any kind, not later than October 10 of the same year. All money
15 held pursuant to this Section shall be maintained in a
16 depository approved by the State Treasurer. The Auditor General
17 shall, at least biennially, audit or cause to be audited all
18 records and accounts of the Commission pertaining to the
19 operation of the District.

20 Section 90. Severability. If any provision of this Act is
21 held invalid, that provision shall be deemed to be excised from
22 this Act and the invalidity of that provision shall not affect
23 any of the other provisions of this Act. If the application of
24 any provision of this Act to any person or circumstance is held
25 invalid, it shall not affect the application of such provision
26 to persons or circumstances other than those as to which it is
27 held invalid.

28 Section 905. The State Finance Act is amended by adding
29 Section 5.625 as follows:

30 (30 ILCS 105/5.625 new)

31 Sec. 5.625. The Mid-America Medical District Income Fund.