

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 St. Louis a medical center district, the
8 Mid-America Medical 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 created a body politic and corporate under the
22 corporate name of the Mid-America Medical District Commission
23 whose general purpose, in addition to and not in limitation of
24 those purposes and powers set forth in this Act, is to:

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

30 (2) provide for the orderly creation, maintenance,
31 development, and expansion of (i) health care facilities

1 and other ancillary or related facilities that the
2 Commission may from time to time determine are established
3 and operated (A) for any aspect of the carrying out of the
4 Commission's purposes as set forth in this Act, (B) for the
5 study, diagnosis, and treatment of human ailments and
6 injuries, whether physical or mental, or (C) to promote
7 medical, surgical, and scientific research and knowledge
8 as permitted under this Act; and (ii) medical research and
9 high technology parks, together with the necessary lands,
10 buildings, facilities, equipment, and personal property
11 for those parks.

12 (b) The Commission has perpetual succession and the power
13 to contract and be contracted with, to sue and be sued except
14 in actions sounding in tort, to plead and be impleaded, to have
15 and use a common seal, and to alter the same at pleasure. All
16 actions sounding in tort against the Commission shall be
17 prosecuted in the Court of Claims. The principal office of the
18 Commission shall be in the City of East St. Louis. The
19 Commission shall obtain, under the provisions of the Personnel
20 Code, such personnel as the Commission shall deem advisable to
21 carry out the purposes of this Act and the work of the
22 Commission.

23 (c) The Commission shall consist of 9 appointed members and
24 3 ex-officio members. Three members shall be appointed by the
25 Governor. Three members shall be appointed by the Mayor of East
26 St. Louis, with the consent of the city council. Three members
27 shall be appointed by the Chairman of the County Board of St.
28 Clair County. All appointed members shall hold office for a
29 term of 3 years ending on December 31, and until their
30 successors are appointed; except that of the initial appointed
31 members, each appointing authority shall designate one
32 appointee to serve for a term ending December 31, 2007, one
33 appointee to serve for a term ending December 31, 2008, and one
34 appointee to serve for a term ending December 31, 2009.

35 The Director of Commerce and Economic Opportunity or his or
36 her designee, the Director of Public Health or his or her

1 designee, and the Secretary of Human Services or his or her
2 designee shall serve as ex-officio members.

3 (d) Any vacancy in the appointed membership of the
4 Commission occurring by reason of the death, resignation,
5 disqualification, removal, or inability or refusal to act of
6 any of the members of the Commission shall be filled by the
7 authority that had appointed the particular member, and for the
8 unexpired term of office of that particular member.

9 (e) The Commission shall hold regular meetings annually for
10 the election of a President, Vice-President, Secretary, and
11 Treasurer, for the adoption of a budget, and for such other
12 business as may properly come before it. The Commission shall
13 establish the duties and responsibilities of its officers by
14 rule. The President or any 3 members of the Commission may call
15 special meetings of the Commission. Each Commissioner shall
16 take an oath of office for the faithful performance of his or
17 her duties. The Commission may not transact business at a
18 meeting of the Commission unless there is present at the
19 meeting a quorum consisting of at least 7 Commissioners.
20 Meetings may be held by telephone conference or other
21 communications equipment by means of which all persons
22 participating in the meeting can communicate with each other.

23 (f) The Commission shall submit to the General Assembly,
24 not later than March 1 of each odd-numbered year, a detailed
25 report covering its operations for the 2 preceding calendar
26 years and a statement of its program for the next 2 years.

27 The requirement for reporting to the General Assembly shall
28 be satisfied by filing copies of the report with the Speaker,
29 the Minority Leader, and the Clerk of the House of
30 Representatives and the President, the Minority Leader, and the
31 Secretary of the Senate and with the Legislative Research Unit,
32 as required by Section 3.1 of the General Assembly Organization
33 Act, and by filing such additional copies with the State
34 Government Report Distribution Center for the General Assembly
35 as is required under paragraph (t) of Section 7 of the State
36 Library Act.

1 (g) The Auditor General shall conduct audits of the
2 Commission in the same manner as the Auditor General conducts
3 audits of State agencies under the Illinois State Auditing Act.

4 (h) Neither the Commission nor the District have any power
5 to tax.

6 (i) The Commission is a public body and subject to the Open
7 Meetings Act and the Freedom of Information Act.

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

26 Section 20. Property; acquisition. The Commission is
27 authorized to acquire the fee simple title to real property
28 lying within the District and personal property required for
29 its purposes, by gift, purchase, or otherwise. Title shall be
30 taken in the corporate name of the Commission. The Commission
31 may acquire by lease any real property located within the
32 District and personal property found by the Commission to be
33 necessary for its purposes and to which the Commission finds
34 that it need not acquire the fee simple title for carrying out

1 of those purposes. All real and personal property within the
2 District, except that owned and used for purposes authorized
3 under this Act by medical institutions or allied educational
4 institutions, hospitals, dispensaries, clinics, dormitories or
5 homes for the nurses, doctors, students, instructors, or other
6 officers or employees of those institutions located in the
7 District, or any real property that is used for offices or for
8 recreational purposes in connection with those institutions,
9 or any improved residential property within a currently
10 effective historical district properly designated under a
11 federal statute or a State or local statute that has been
12 certified by the Secretary of the Interior to the Secretary of
13 the Treasury as containing criteria that will substantially
14 achieve the purpose of preserving and rehabilitating buildings
15 of historical significance to the district, may be acquired by
16 the Commission in its corporate name under the provisions for
17 the exercise of the right of eminent domain under Article VII
18 of the Code of Civil Procedure. The Commission has no
19 quick-take powers, no zoning powers, and no power to establish
20 or enforce building codes. The Commission may not acquire any
21 property pursuant to this Section before a comprehensive master
22 plan has been approved under Section 65.

23 Section 25. Construction. The Commission may, in its
24 corporate capacity, construct or cause to be constructed within
25 the District hospitals, sanitariums, clinics, laboratories, or
26 any other institution, building, or structure or other
27 ancillary or related facilities that the Commission may, from
28 time to time, determine are established and operated (i) for
29 the carrying out of any aspect of the Commission's purposes as
30 set forth in this Act, for the study, diagnosis, and treatment
31 of human ailments and injuries, whether physical or mental, or
32 to promote medical, surgical, and scientific research and
33 knowledge, for any uses the Commission shall determine will
34 support and nurture facilities and uses permitted by this Act,
35 or for such nursing, extended care, or other facilities as the

1 Commission shall find useful in the study of, research in, or
2 treatment of illnesses or infirmities peculiar to aged people,
3 after a public hearing to be held by any Commissioner or other
4 person authorized by the Commission to conduct the hearing,
5 which Commissioner or other person has the power to administer
6 oaths and affirmations and take the testimony of witnesses and
7 receive such documentary evidence as shall be pertinent, the
8 record of which hearing he or she shall certify to the
9 Commission, which record shall become part of the records of
10 the Commission, notice of the time, place, and purpose of the
11 hearings to be given by a single publication notice in a
12 secular newspaper of general circulation in St. Clair County at
13 least 10 days before the date of the hearing, or (ii) for such
14 institutions as shall engage in the training, education, or
15 rehabilitation of persons who by reason of illness or physical
16 infirmity are wholly or partially deprived of their powers of
17 vision or hearing or of the use of such other part or parts of
18 their bodies as prevent them from pursuing normal activities of
19 life, for office buildings for physicians or dealers in medical
20 accessories, for dormitories, homes, or residences for the
21 medical profession, including interns, nurses, students, or
22 other officers or employees of the institutions within the
23 District, for the use of relatives of patients in the hospitals
24 or other institutions within the District, for the
25 rehabilitation or establishment of residential structures
26 within a historic district properly designated under a federal
27 statute or a State or local statute that has been certified by
28 the Secretary of the Interior to the Secretary of the Treasury
29 as containing criteria that will substantially achieve the
30 purpose of preserving and rehabilitating buildings of historic
31 significance to the district, or such other areas of the
32 District as the Commission shall designate, for research,
33 development, and resultant production in any of the fields of
34 medicine, chemistry, pharmaceuticals, physics, and genetically
35 engineered products, for biotechnology, information
36 technology, medical technology, or environmental technology,

1 for the research and development of engineering, or for
2 computer technology related to any of the purposes for which
3 the Commission may construct structures and improvements
4 within the District. All such structures and improvements shall
5 be erected and constructed in accordance with the provisions of
6 the Illinois Procurement Code that apply to State agencies. No
7 construction may be undertaken pursuant to this Section before
8 a comprehensive master plan has been approved under Section 65.

9 Section 30. Relocation assistance. The Commission shall
10 provide relocation assistance to persons and entities
11 displaced by the Commission's acquisition of property and
12 improvement of the District. Relocation assistance shall not be
13 less than provided under the federal Uniform Relocation
14 Assistance and Real Property Acquisition Policies Act of 1970
15 and the regulations under that Act, including the eligibility
16 criteria. Relocation assistance may include assistance with
17 the moving of a residential unit to a new location. The
18 Commission shall establish a single point of contact for all
19 relocation assistance under this Section.

20 Section 35. Power to sell or lease. The Commission may
21 sell, convey, transfer, or lease, all at fair market value, any
22 title or interest in real property owned by it to any person or
23 persons, to be used, subject to the restrictions of this Act,
24 for the purposes stated in Section 25, or for the purpose of
25 serving persons using the facilities offered within the
26 District or for carrying out of any aspect of the Commission's
27 purposes as set forth in Section 10 of this Act, subject to
28 such restrictions as to the use of the real property as the
29 Commission shall determine will carry out the purpose of this
30 Act. To assure that the use of the real property so sold or
31 leased is in accordance with the provisions of this Act, the
32 Commission shall inquire into and satisfy itself concerning the
33 financial ability of the purchaser to complete the project for
34 which the real property is sold or leased in accordance with a

1 plan to be presented by the purchaser or lessee, which plan
2 shall be submitted, in writing, to the Commission. Under the
3 plan, the purchaser or lessee shall undertake (1) to use the
4 land for the purposes designated in the plan so presented; (2)
5 to commence and complete the construction of the buildings or
6 other structures to be included in the project within such
7 periods of time as the Commission fixes as reasonable; and (3)
8 to comply with such other conditions as the Commission shall
9 determine are necessary to carry out the project. All
10 conveyances and leases authorized in this Section shall be on
11 condition that, in the event of use for other than the purposes
12 prescribed in this Act, or of nonuse for a period of one year,
13 title to the property shall revert to the Commission. All
14 conveyances and leases made by the Commission to any
15 corporation or person for the use of serving the residents or
16 any person using the facilities offered within the District
17 shall be on condition that in the event of violation of any of
18 the restrictions as to the use of the property as the
19 Commission shall have determined will carry out the purposes of
20 this Act, that title to the property shall revert to the
21 Commission. If, however, the Commission finds that financing
22 necessary for the acquisition or lease of any real estate or
23 for the construction of any building or improvement to be used
24 for purposes prescribed in this Act cannot be obtained if title
25 to the land or building or improvement is subject to such a
26 reverter provision, which finding shall be made by the
27 Commission after public hearing held pursuant to a single
28 publication notice given in a secular newspaper of general
29 circulation in St. Clair County at least 10 days before the
30 date of the hearing, the notice to specify the time, place, and
31 purpose for the hearing, and upon that finding being made, the
32 Commission may cause the real property to be conveyed free of a
33 reverter provision, provided that at least 7 members of the
34 Commission vote in favor thereof. The Commission may also
35 provide in the conveyances, leases, or other documentation
36 provisions for notice of such violations or default and the

1 cure thereof for the benefit of any lender or mortgagee as the
2 Commission shall determine are appropriate. If, at a regularly
3 scheduled meeting, the Commission resolves that a parcel of
4 real estate leased by it, or in which it has sold the fee
5 simple title or any lesser estate, is not being used for the
6 purposes prescribed in this Act or has been in nonuse for a
7 period of one year, the Commission may file a lawsuit in the
8 circuit court of St. Clair County to enforce the terms of the
9 sale or lease. If a reverter of title to any property is
10 ordered by the court under the terms of this Act, the interest
11 of the Commission shall be subject to any then existing valid
12 mortgage or trust deed in the nature of a mortgage, but if the
13 title is acquired through foreclosure of that mortgage or trust
14 deed or by deed in lieu of foreclosure of that mortgage or
15 trust deed, then the title to the property shall not revert,
16 but shall be subject to the restrictions as to use, but not any
17 penalty for nonuse, contained in this Act with respect to any
18 mortgagee in possession or its successor or assigns.

19 No conveyance of real property shall be executed by the
20 Commission without the prior written approval of the Governor.
21 The Commission may not sell, convey, transfer, or lease any
22 property pursuant to this Section before a comprehensive master
23 plan has been approved under Section 65.

24 Section 40. Notice. Before holding any public hearing
25 prescribed in Section 35 of this Act, or any meeting regarding
26 the passage of any resolution to file a lawsuit, the Commission
27 shall give notice to the grantee or lessee, or his or her legal
28 representatives, successors, or assigns, of the time and place
29 of the proceeding. The notice shall be accompanied by a
30 statement signed by the Secretary of the Commission, or by any
31 person authorized by the Commission to sign the same, setting
32 forth any act or things done or omitted to be done in
33 violation, or claimed to be in violation, of any restriction as
34 to the use of the property, whether the restriction be
35 prescribed in any of the terms of this Act or by any

1 restriction as to the use of the property determined by the
2 Commission under the terms of this Act. The notice of the time
3 and place fixed for the proceeding shall also be given to such
4 person or persons as the Commission shall deem necessary. The
5 notice may be given by registered mail, addressed to the
6 grantee, lessee, or legal representatives, successors, or
7 assigns, at the last known address of the grantee, lessee, or
8 legal representatives, successors, or assigns.

9 Section 45. Rules. The Commission may adopt reasonable and
10 proper rules, in accordance with the Illinois Administrative
11 Procedure Act, relative to the exercise of its powers, and
12 proper rules to govern its proceedings, to regulate the mode
13 and manner of all hearings held by it or at its direction, and
14 to alter and amend those rules.

15 Section 50. Official documents. Copies of all official
16 documents, findings, and orders of the Commission, certified by
17 a Commissioner or by the Secretary of the Commission to be true
18 copies of the originals, under the official seal of the
19 Commission, shall be evidence in like manner as the originals.

20 Section 55. Judicial review. Any party may obtain a
21 judicial review of a final order or decision of the Commission
22 in the circuit court of St. Clair County only under and in
23 accordance with the provisions of the Administrative Review Law
24 and the rules adopted under that Law. The circuit court shall
25 take judicial notice of all the rules of practice and procedure
26 of the Commission.

27 Section 60. Parks. The Commission may set apart any part of
28 the District as a park, except those areas owned, operated, or
29 used for purposes authorized under this Act by organizations or
30 institutions engaged in the delivery or conduct of health care
31 services, education, or research, and may construct, control,
32 and maintain the same or may provide by contract with the East

1 St. Louis Park District or the City of East St. Louis for the
2 construction, control, and maintenance of any area within the
3 District set apart as a park.

4 Section 65. Master plan; improvement and management of
5 District. The Commission shall prepare and approve a
6 comprehensive master plan for the orderly development and
7 management of all property within the District. The master
8 plan, and any amendment to the master plan, shall not take
9 effect, however, until it has been approved by the advisory
10 council and the East St. Louis city council. The Commission
11 shall take the actions permitted to be taken by it under this
12 Act as it may determine are appropriate to provide conditions
13 most favorable for the special care and treatment of the sick
14 and injured and for the study of disease and for any other
15 purpose in Section 25 of this Act. In the master plan, the
16 Commission may provide for shared services and facilities
17 within the District for the accredited schools of medicine and
18 the licensed non-profit acute care hospitals within the
19 District.

20 Section 70. Advisory Council. The Commission must
21 establish an advisory council consisting of 2 representatives,
22 appointed for one-year terms by the Mayor of East St. Louis, of
23 each recognized neighborhood organization that the Mayor
24 determines has a legitimate interest in the development and
25 improvement of the District. There is no limit on the number of
26 terms to which a person may be appointed as a member. The
27 advisory council shall review and make recommendations to the
28 Commission with respect to the comprehensive master plan to be
29 adopted by the Commission. The advisory council may fulfill
30 such other responsibilities as the Commission may request in
31 furtherance of the purposes of this Act. The advisory council
32 shall meet at the call of the President of the Commission and
33 shall conduct its affairs in accordance with the rules that the
34 Commission may adopt from time to time for the governance and

1 operation of the advisory council.

2 Section 75. Public hearing. The Commission shall conduct a
3 public hearing prior to either acquiring through eminent domain
4 under Section 20 of this Act real or personal property within
5 the District or approving under Section 70 of this Act a
6 comprehensive master plan. The Commission shall also conduct a
7 public hearing whenever it is otherwise required by law to do
8 so, and may conduct a public hearing whenever it may elect to
9 do so.

10 The Commission shall conduct the public hearing called by
11 it in accordance with the requirements of the law mandating it,
12 if any, or in accordance with the provisions of this Section if
13 either the law mandating it is silent as to the procedures for
14 its holding or if the Commission elects to hold a public
15 hearing in the absence of any law mandating it.

16 In the absence of any law, or of any procedures in any law,
17 mandating the holding of a public hearing, the Commission may
18 authorize a Commissioner or other person of legal age to
19 conduct a hearing. The Commissioner or other authorized person
20 has the power to administer oaths and affirmations, take the
21 testimony of witnesses, take and receive the production of
22 papers, books, records, accounts, and documents, receive
23 pertinent evidence, and certify the record of the hearing. The
24 record of the hearing shall become part of the Commission's
25 record. Notice of the time, place, and purpose of the hearing
26 shall be given by a single publication notice in a secular
27 newspaper of general circulation in St. Clair County at least
28 10 days before the date of the hearing.

29 Section 80. Jurisdiction. This Act shall not be construed
30 to limit the jurisdiction of the City of East St. Louis to
31 territory outside the limits of the District nor to impair any
32 power now possessed by or hereafter granted to the City of East
33 St. Louis or to cities generally. Property owned by and
34 exclusively used by the Commission shall be exempt from

1 taxation and shall be subject to condemnation by the State and
2 any municipal corporation or agency of the State for any State
3 or municipal purpose under the provisions for the exercise of
4 the right of eminent domain under Article VII of the Code of
5 Civil Procedure.

6 Section 85. Disposition of money; income fund. All money
7 received by the Commission from the sale or lease of any
8 property, in excess of the amount expended by the Commission
9 for authorized purposes under this Act shall be paid into the
10 State treasury for deposit into the Mid-America Medical
11 District Income Fund. The Commission is authorized to use all
12 money received as rentals for the purposes of planning,
13 acquisition, and development of property within the District,
14 for the operation, maintenance, and improvement of property of
15 the Commission, and for all purposes and powers set forth in
16 this Act. All moneys held pursuant to this Section shall be
17 maintained in a depository approved by the State Treasurer. The
18 Auditor General shall, at least biennially, audit or cause to
19 be audited all records and accounts of the Commission
20 pertaining to the operation of the District.

21 Section 90. Attorney General. The Attorney General of the
22 State of Illinois is the legal advisor to the Commission and
23 shall prosecute or defend, as the case may be, all actions
24 brought by or against the Commission.

25 Section 905. The State Finance Act is amended by adding
26 Section 5.663 as follows:

27 (30 ILCS 105/5.663 new)

28 Sec. 5.663. The Mid-America Medical District Income Fund.