

1 AMENDMENT TO SENATE BILL 2117

2 AMENDMENT NO. _____. Amend Senate Bill 2117 by replacing
3 the title with the following:

4 "AN ACT concerning medical districts."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 1. Short title. This Act may be cited as the
8 Illinois Medical District at Springfield Act.

9 Section 5. Creation of District. There is created in the
10 City of Springfield a medical center district, the Illinois
11 Medical District at Springfield, whose boundaries are 11th
12 Street on the East, North Grand Avenue on the north, Walnut
13 Street on the west, and Madison Street on the south. The
14 District is created to attract and retain academic centers of
15 excellence, viable health care facilities, medical research
16 facilities, emerging high technology enterprises, and other
17 facilities and uses as permitted by this Act.

18 Section 10. Illinois Medical District at Springfield
19 Commission.

20 (a) There is created a body politic and corporate under

1 the corporate name of the Illinois Medical District at
2 Springfield Commission whose general purpose, in addition to
3 and not in limitation of those purposes and powers set forth
4 in this Act, is to:

5 (1) maintain the proper surroundings for a medical
6 center and a related technology center in order to
7 attract, stabilize, and retain within the District
8 hospitals, clinics, research facilities, educational
9 facilities, or other facilities permitted under this Act;
10 and

11 (2) provide for the orderly creation, maintenance,
12 development, and expansion of (i) health care facilities
13 and other ancillary or related facilities that the
14 Commission may from time to time determine are
15 established and operated (A) for any aspect of the
16 carrying out of the Commission's purposes as set forth in
17 this Act, (B) for the study, diagnosis, and treatment of
18 human ailments and injuries, whether physical or mental,
19 or (C) to promote medical, surgical, and scientific
20 research and knowledge as permitted under this Act; and
21 (ii) medical research and high technology parks, together
22 with the necessary lands, buildings, facilities,
23 equipment, and personal property for those parks.

24 (b) The Commission has perpetual succession and the
25 power to contract and be contracted with, to sue and be sued
26 except in actions sounding in tort, to plead and be
27 impleaded, to have and use a common seal, and to alter the
28 same at pleasure. All actions sounding in tort against the
29 Commission shall be prosecuted in the Court of Claims. The
30 principal office of the Commission shall be in the City of
31 Springfield.

32 (c) The Commission shall consist of the following
33 members: 3 members of the public appointed by the Governor,
34 with the advice and consent of the Senate; 3 members of the

1 public appointed by the Mayor of Springfield, with the advice
2 and consent of the Springfield city council, 2 of whom shall
3 be members of neighborhood organizations located within the
4 District; 2 members appointed by each governing body of each
5 accredited public school of medicine located and conducting
6 programs of study in the District; and one member appointed
7 by the Governor, with the advice and consent of the Senate,
8 and one member appointed by the Mayor of Springfield, with
9 the advice and consent of the Springfield city council,
10 representing each licensed non-profit acute care hospital
11 within the District. The public members appointed by the
12 Governor and by the Mayor of Springfield shall not have been
13 at any time during the 2-year period immediately before their
14 appointment as Commissioners, and shall not be at any time
15 during the term of their appointment as Commissioners, (i)
16 members of the faculty of a school of medicine, (ii) members
17 of the medical or dental staff of an acute care hospital, or
18 (iii) directors, trustees, officers, employees, or agents of
19 a person or entity that owns and operates a health care
20 delivery facility or service in Springfield or of any person
21 or entity that controls or owns, is controlled or owned by,
22 or is under common control or ownership with any such person
23 or party. All members of the Commission other than the
24 initial public members appointed by the Governor shall be
25 appointed to hold office for a term of 5 years and until
26 their successors are appointed as provided in this Act. The
27 initial public members of the Commission appointed by the
28 Governor shall be appointed for terms ending, respectively on
29 the second, third, and fourth anniversaries of their
30 appointments. Thereafter, the public members appointed by
31 the Governor shall be appointed to hold office for a term of
32 5 years and until their successors are appointed as provided
33 in this Act.

34 (d) Any vacancy in the membership of the Commission

1 occurring by reason of the death, resignation,
2 disqualification, removal, or inability or refusal to act of
3 any of the members of the Commission shall be filled by the
4 entity that had appointed the particular member, and for the
5 unexpired term of office of that particular member. A vacancy
6 caused by the expiration of the period for which the member
7 was appointed shall be filled by a new appointment for a term
8 of 5 years from the date of the expiration of the prior
9 5-year term notwithstanding when the appointment is actually
10 made. The Commission shall obtain, under the provisions of
11 the Personnel Code, such personnel as to the Commission shall
12 deem advisable to carry out the purposes of this Act and the
13 work of the Commission.

14 (e) The Commission shall hold regular meetings annually
15 for the election of a President, Vice-President, Secretary,
16 and Treasurer, for the adoption of a budget, and for such
17 other business as may properly come before it. The
18 Commission shall elect as the President a public member of
19 the Commission appointed by the Mayor of Springfield and as
20 the Vice-President a public member of the Commission
21 appointed by the Governor. The Commission shall establish
22 the duties and responsibilities of its officers by rule. The
23 President or any 2 members of the Commission may call special
24 meetings of the Commission. Each Commissioner shall take an
25 oath of office for the faithful performance of his or her
26 duties. The Commission may not transact business at a
27 meeting of the Commission unless there is present at the
28 meeting a quorum consisting of at least three-fourths of the
29 entire number of Commissioners then in office (but not less
30 than 9). Meetings may be held by telephone conference or
31 other communications equipment by means of which all persons
32 participating in the meeting can communicate with each other.
33 The Commission may not take an action at a meeting of the
34 Commission at which a quorum is present unless at least a

1 majority of the entire number of Commissioners then in office
2 (but not less than 7), including at least one Commissioner
3 appointed by the governing body of each accredited school of
4 medicine and at least one Commissioner representing each
5 licensed non-profit acute care hospital within the District
6 approves the action.

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

11 The requirement for reporting to the General Assembly
12 shall be satisfied by filing copies of the report with the
13 Speaker, the Minority Leader, and the Clerk of the House of
14 Representatives and the President, the Minority Leader, and
15 the Secretary of the Senate and with the Legislative Research
16 Unit, as required by Section 3.1 of the General Assembly
17 Organization Act, and by filing such additional copies with
18 the State Government Report Distribution Center for the
19 General Assembly as is required under paragraph (t) of
20 Section 7 of the State Library Act.

21 (g) The Auditor General shall conduct audits of the
22 Commission in the same manner as the Auditor General conducts
23 audits of State agencies under the Illinois State Auditing
24 Act.

25 (h) Neither the Commission nor the District have any
26 power to tax.

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

29 Section 15. Grants; loans; contracts. The Commission may
30 apply for and accept grants, loans, or appropriations from
31 the State of Illinois, the federal government, any State or
32 federal agency or instrumentality, any unit of local
33 government, or any other person or entity to be used for any

1 of the purposes of the District. The Commission may enter
2 into any agreement with the State of Illinois, the federal
3 government, any State or federal instrumentality, any unit of
4 local government, or any other person or entity in relation
5 to the grants, matching grants, loans, or appropriations.
6 The Commission also may, by contractual agreement, accept and
7 collect assessments or fees from entities who enter into such
8 a contractual agreement for District enhancement and
9 improvements, common area shared services, shared facilities,
10 or other activities or expenditures in furtherance of the
11 purposes of this Act. The Commission may make grants to
12 neighborhood organizations within the District for the
13 purpose of benefitting the community.

14 Section 20. Property; acquisition. The Commission is
15 authorized to acquire the fee simple title to real property
16 lying within the District and personal property required for
17 its purposes, by gift, purchase, or otherwise. Title shall be
18 taken in the corporate name of the Commission. The Commission
19 may acquire by lease any real property lying within the
20 District and personal property found by the Commission to be
21 necessary for its purposes and to which the Commission finds
22 that it need not acquire the fee simple title for carrying
23 out of those purposes. All real and personal property within
24 the District, except that owned and used for purposes
25 authorized under this Act by medical institutions or allied
26 educational institutions, hospitals, dispensaries, clinics,
27 dormitories or homes for the nurses, doctors, students,
28 instructors, or other officers or employees of those
29 institutions located in the District, or any real property
30 that is used for offices or for recreational purposes in
31 connection with those institutions, or any improved
32 residential property within a currently effective historical
33 district properly designated under a federal statute or a

1 State or local statute that has been certified by the
2 Secretary of the Interior to the Secretary of the Treasury as
3 containing criteria that will substantially achieve the
4 purpose of preserving and rehabilitating buildings of
5 historical significance to the district, may be acquired by
6 the Commission in its corporate name under the provisions for
7 the exercise of the right of eminent domain under Article VII
8 of the Code of Civil Procedure. The Commission has no
9 quick-take powers, no zoning powers, and no power to
10 establish or enforce building codes. The Commission may not
11 acquire any property pursuant to this Section before a
12 comprehensive master plan has been approved under Section 70.

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

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

1 within the District. All such structures and improvements
2 shall be erected and constructed in accordance with the
3 provisions of the Illinois Procurement Code that apply to
4 State agencies. No construction may be undertaken pursuant to
5 this Section before a comprehensive master plan has been
6 approved under Section 70.

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

18 Section 35. Bonds. To obtain the funds necessary for
19 financing the acquisition of land, for the acquisition,
20 construction, maintenance, and rehabilitation of facilities
21 and equipment within the District, and for the operation of
22 the District as set forth in this Act, the Commission may
23 borrow money from any public or private agency, department,
24 corporation, or person. In evidence of and as security for
25 funds borrowed, the Commission may issue revenue bonds in its
26 corporate capacity to be payable from the revenues derived
27 from the operation of the institutions or buildings owned,
28 leased, or operated by or on behalf of the Commission, but
29 the bonds shall in no event constitute an indebtedness of the
30 Commission or a claim against the property of the Commission.
31 The bonds may be issued in such denominations as may be
32 expedient, in such amounts, and at such rates of interest as

1 the Commission shall deem necessary to provide sufficient
2 funds to pay all the costs authorized under this Section. The
3 bonds shall be executed by the President of the Commission,
4 attested by the Secretary, and sealed with the Commission's
5 corporate seal. If either of those officers of the Commission
6 who shall have signed or attested any of the bonds shall have
7 ceased to be such officer before delivery of the bonds, the
8 signature of the officer shall be valid and sufficient to the
9 same effect as if the officer had remained in office at the
10 time of delivery. The Commission shall furnish the State
11 Comptroller with a record of all bonds issued under this Act.

12 Section 40. Power to sell or lease. The Commission may
13 sell, convey, transfer, or lease, all at fair market value,
14 any title or interest in real property owned by it to any
15 person or persons, to be used, subject to the restrictions of
16 this Act, for the purposes stated in Section 25, or for the
17 purpose of serving persons using the facilities offered
18 within the District or for carrying out of any aspect of the
19 Commission's purposes as set forth in Section 10 of this Act,
20 subject to such restrictions as to the use of the real
21 property as the Commission shall determine will carry out the
22 purpose of this Act. To assure that the use of the real
23 property so sold or leased is in accordance with the
24 provisions of this Act, the Commission shall inquire into and
25 satisfy itself concerning the financial ability of the
26 purchaser to complete the project for which the real property
27 is sold or leased in accordance with a plan to be presented
28 by the purchaser or lessee, which plan shall be submitted, in
29 writing, to the Commission. Under the plan, the purchaser or
30 lessee shall undertake (1) to use the land for the purposes
31 designated in the plan so presented; (2) to commence and
32 complete the construction of the buildings or other
33 structures to be included in the project within such periods

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

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

17 No conveyance of real property shall be executed by the
18 Commission without the prior written approval of the
19 Governor. The Commission may not sell, convey, transfer, or
20 lease any property pursuant to this Section before a
21 comprehensive master plan has been approved under Section 70.

22 Section 45. Notice. Before holding any public hearing
23 prescribed in Section 40 of this Act, or any meeting
24 regarding the passage of any resolution to file a law suit,
25 the Commission shall give notice to the grantee or lessee, or
26 his or her legal representatives, successors, or assigns, of
27 the time and place of the proceeding. The notice shall be
28 accompanied by a statement signed by the Secretary of the
29 Commission, or by any person authorized by the Commission to
30 sign the same, setting forth any act or things done or
31 omitted to be done in violation, or claimed to be in
32 violation, of any restriction as to the use of the property,
33 whether the restriction be prescribed in any of the terms of

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

10 Section 50. Rules. The Commission may adopt reasonable
11 and proper rules, in accordance with the Illinois
12 Administrative Procedure Act, relative to the exercise of its
13 powers, and proper rules to govern its proceedings, to
14 regulate the mode and manner of all hearings held by it or at
15 its direction, and to alter and amend those rules.

16 Section 55. Official documents. Copies of all official
17 documents, findings, and orders of the Commission, certified
18 by a Commissioner or by the Secretary of the Commission to be
19 true copies of the originals, under the official seal of the
20 Commission, shall be evidence in like manner as the
21 originals.

22 Section 60. Judicial review. Any party may obtain a
23 judicial review of a final order or decision of the
24 Commission in the circuit court of Sangamon County only under
25 and in accordance with the provisions of the Administrative
26 Review Law and the rules adopted under that Law. The circuit
27 court shall take judicial notice of all the rules of practice
28 and procedure of the Commission.

29 Section 65. Parks. The Commission may set apart any
30 part of the District as a park, except those areas owned,

1 operated, or used for purposes authorized under this Act by
2 organizations or institutions engaged in the delivery or
3 conduct of health care services, education, or research, and
4 may construct, control, and maintain the same or may provide
5 by contract with the Springfield Park District or the City of
6 Springfield for the construction, control, and maintenance of
7 any area within the District set apart as a park.

8 Section 70. Master plan; improvement and management of
9 District. The Commission shall prepare and approve a
10 comprehensive master plan for the orderly development and
11 management of all property within the District. The master
12 plan, and any amendment to the master plan, shall not take
13 effect, however, until it has been approved by the advisory
14 council and the Springfield city council. The Commission
15 shall take the actions permitted to be taken by it under this
16 Act as it may determine are appropriate to provide conditions
17 most favorable for the special care and treatment of the sick
18 and injured and for the study of disease and for any other
19 purpose in Section 25 of this Act. In the master plan, the
20 Commission may provide for shared services and facilities
21 within the District for the accredited schools of medicine
22 and the licensed non-profit acute care hospitals within the
23 District.

24 Section 75. Advisory Council. The Commission must
25 establish an advisory council consisting of 2
26 representatives, appointed for one-year terms by the Mayor of
27 Springfield, of each recognized neighborhood organization
28 that the Mayor determines has a legitimate interest in the
29 development and improvement of the District. There is no
30 limit on the number of terms to which a person may be
31 appointed as a member. The advisory council shall review and
32 make recommendations to the Commission with respect to the

1 comprehensive master plan to be adopted by the Commission.
2 The advisory council may fulfill such other responsibilities
3 as the Commission may request in furtherance of the purposes
4 of this Act. The advisory council shall meet at the call of
5 the President of the Commission and shall conduct its affairs
6 in accordance with the rules that the Commission may adopt
7 from time to time for the governance and operation of the
8 advisory council.

9 Section 80. Public hearing. The Commission shall
10 conduct a public hearing prior to either acquiring through
11 eminent domain under Section 20 of this Act real or personal
12 property within the District or approving under Section 70 of
13 this Act a comprehensive master plan. The Commission shall
14 also conduct a public hearing whenever it is otherwise
15 required by law to do so, and may conduct a public hearing
16 whenever it may elect to do so.

17 The Commission shall conduct the public hearing called by
18 it in accordance with the requirements of the law mandating
19 it, if any, or in accordance with the provisions of this
20 Section if either the law mandating it is silent as to the
21 procedures for its holding or if the Commission elects to
22 hold a public hearing in the absence of any law mandating it.

23 In the absence of any law, or of any procedures in any
24 law, mandating the holding of a public hearing, the
25 Commission may authorize a Commissioner or other person of
26 legal age to conduct a hearing. The Commissioner or other
27 authorized person has the power to administer oaths and
28 affirmations, take the testimony of witnesses, take and
29 receive the production of papers, books, records, accounts,
30 and documents, receive pertinent evidence, and certify the
31 record of the hearing. The record of the hearing shall
32 become part of the Commission's record. Notice of the time,
33 place, and purpose of the hearing shall be given by a single

1 publication notice in a secular newspaper of general
2 circulation in the City of Springfield at least 10 days
3 before the date of the hearing.

4 Section 85. Jurisdiction. This Act shall not be
5 construed to limit the jurisdiction of the City of
6 Springfield to territory outside the limits of the District
7 nor to impair any power now possessed by or hereafter granted
8 to the City of Springfield or to cities generally. Property
9 owned by and exclusively used by the Commission shall be
10 exempt from taxation and shall be subject to condemnation by
11 the State and any municipal corporation or agency of the
12 State for any State or municipal purpose under the provisions
13 for the exercise of the right of eminent domain under Article
14 VII of the Code of Civil Procedure.

15 Section 90. Disposition of money; income fund. All money
16 received by the Commission from the sale or lease of any
17 property, in excess of the amount expended by the Commission
18 for authorized purposes under this Act or as may be necessary
19 to satisfy the obligation of any revenue bond issued pursuant
20 to Section 35, shall be paid into the State treasury for
21 deposit into the Illinois Medical District at Springfield
22 Income Fund. The Commission is authorized to use all money
23 received as rentals for the purposes of planning,
24 acquisition, and development of property within the District,
25 for the operation, maintenance, and improvement of property
26 of the Commission, and for all purposes and powers set forth
27 in this Act. All moneys held pursuant to this Section shall
28 be maintained in a depository approved by the State
29 Treasurer. The Auditor General shall, at least biennially,
30 audit or cause to be audited all records and accounts of the
31 Commission pertaining to the operation of the District.

1 Section 95. Attorney General. The Attorney General of
2 the State of Illinois is the legal advisor to the Commission
3 and shall prosecute or defend, as the case may be, all
4 actions brought by or against the Commission.

5 Section 900. The State Finance Act is amended by adding
6 Sections 5.570 and 6z-56 as follows:

7 (30 ILCS 105/5.570 new)

8 Sec. 5.570. The Illinois Medical District at Springfield
9 Income Fund.

10 (30 ILCS 105/6z-56 new)

11 Sec. 6z-56. Illinois Medical District at Springfield
12 Income Fund. All payments received from the Illinois Medical
13 District at Springfield Commission for deposit into the
14 Illinois Medical District at Springfield Income Fund shall be
15 expended only pursuant to appropriation. Amounts in the Fund
16 may be appropriated to the Commission for use in purchasing
17 real estate."