

1 AN ACT concerning historic preservation.

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

4 Section 5. The Historic Preservation Agency Act is  
5 amended by changing Sections 6 and 16 as follows:

6 (20 ILCS 3405/6) (from Ch. 127, par. 2706)

7 Sec. 6. Jurisdiction. The Agency shall have jurisdiction  
8 over the following described areas which are hereby  
9 designated as State Historic Sites, State Memorials, and  
10 Miscellaneous Properties:

11 State Historic Sites

12 Apple River Fort State Historic Site, Jo Daviess County;

13 Bishop Hill State Historic Site, Henry County;

14 Black Hawk State Historic Site, Rock Island County;

15 Bryant Cottage State Historic Site, Piatt County;

16 Buel House, Pope County;

17 Cahokia Courthouse State Historic Site, St. Clair County;

18 Cahokia Mounds State Historic Site, in Madison and St.

19 Clair Counties (however, the Illinois State Museum

20 shall act as curator of artifacts pursuant to the

21 provisions of the Archaeological and Paleontological

22 Resources Protection Act);

23 Crenshaw House State Historic Site, Gallatin County;

24 Dana-Thomas House State Historic Site, Sangamon County;

25 David Davis Mansion State Historic Site, McLean County;

26 Douglas Tomb State Historic Site, Cook County;

27 Fort de Chartres State Historic Site, Randolph County;

28 Fort Kaskaskia State Historic Site, Randolph County;

29 Grand Village of the Illinois, LaSalle County;

30 U. S. Grant Home State Historic Site, Jo Daviess County;

31 Hotel Florence, Cook County;

1 Jarrot Mansion State Historic Site, St. Clair County;  
2 Jubilee College State Historic Site, Peoria County;  
3 Lincoln-Herndon Law Offices State Historic Site, Sangamon  
4 County;  
5 Lincoln Log Cabin State Historic Site, Coles County;  
6 Lincoln's New Salem State Historic Site, Menard County;  
7 Lincoln Tomb State Historic Site, Sangamon County;  
8 Pierre Menard Home State Historic Site, Randolph County;  
9 Pullman Factory, Cook County;  
10 Martin-Boismenu House State Historic Site, St. Clair  
11 County;  
12 Metamora Courthouse State Historic Site, Woodford County;  
13 Moore Home State Historic Site, Coles County;  
14 Mount Pulaski Courthouse State Historic Site, Logan  
15 County;  
16 Old Market House State Historic Site, Jo Daviess County;  
17 Old State Capitol State Historic Site, Sangamon County;  
18 Postville Courthouse State Historic Site, Logan County;  
19 Rose Hotel, Hardin County;  
20 Carl Sandburg State Historic Site, Knox County;  
21 Shawneetown Bank State Historic Site, Gallatin County;  
22 Sugar Loaf Mound State Historic Site, Madison County;  
23 Union Station State Historic Site, Sangamon County;  
24 Vachel Lindsay Home, Sangamon County;  
25 Vandalia State House State Historic Site, Fayette County;  
26 and  
27 Washburne House State Historic Site, Jo Daviess County.

28 State Memorials

29 Campbell's Island State Memorial, Rock Island County;  
30 Governor Bond State Memorial, Randolph County;  
31 Governor Coles State Memorial, Madison County;  
32 Governor Horner State Memorial, Cook County;  
33 Governor Small State Memorial, Kankakee County;  
34 Illinois Vietnam Veterans State Memorial, Sangamon

1 County;  
 2 Kaskaskia Bell State Memorial, Randolph County;  
 3 Korean War Memorial, Sangamon County;  
 4 Lewis and Clark State Memorial, Madison County;  
 5 Lincoln Monument State Memorial, Lee County;  
 6 Lincoln Trail State Memorial, Lawrence County;  
 7 Lovejoy State Memorial, Madison County;  
 8 Norwegian Settlers State Memorial, LaSalle County; and  
 9 Wild Bill Hickok State Memorial, LaSalle County.

10 Miscellaneous Properties

11 Albany Mounds, Whiteside County;  
 12 Emerald Mound, St. Clair County;  
 13 Halfway Tavern, Marion County;  
 14 Hofmann Tower, Cook County; and  
 15 Kincaid Mounds, Massac and Pope Counties.

16 (Source: P.A. 89-231, eff. 1-1-96; 89-324, eff. 8-13-95;  
 17 90-760, eff. 8-14-98.)

18 (20 ILCS 3405/16) (from Ch. 127, par. 2716)

19 Sec. 16. The Agency shall have the following additional  
 20 powers:

21 (a) To hire agents and employees necessary to carry out  
 22 the duties and purposes of the Agency.

23 (b) To take all measures necessary to erect, maintain,  
 24 preserve, restore, and conserve all State Historic Sites and  
 25 State Memorials, except when supervision and maintenance is  
 26 otherwise provided by law. This authorization includes the  
 27 power to enter into contracts, acquire and dispose of real  
 28 and personal property, and enter into leases of real and  
 29 personal property.

30 (c) To provide recreational facilities including camp  
 31 sites, lodges and cabins, trails, picnic areas and related  
 32 recreational facilities at all sites under the jurisdiction  
 33 of the Agency.

1 (d) To lay out, construct and maintain all needful  
2 roads, parking areas, paths or trails, bridges, camp or lodge  
3 sites, picnic areas, lodges and cabins, and any other  
4 structures and improvements necessary and appropriate in any  
5 State historic site or easement thereto; and to provide water  
6 supplies, heat and light, and sanitary facilities for the  
7 public and living quarters for the custodians and keepers of  
8 State historic sites.

9 (e) To grant licenses and rights-of-way within the areas  
10 controlled by the Agency for the construction, operation and  
11 maintenance upon, under or across the property, of facilities  
12 for water, sewage, telephone, telegraph, electric, gas, or  
13 other public service, subject to the terms and conditions as  
14 may be determined by the Agency.

15 (f) To authorize the officers, employees and agents of  
16 the Agency, for the purposes of investigation and to exercise  
17 the rights, powers, and duties vested and that may be vested  
18 in it, to enter and cross all lands and waters in this State,  
19 doing no damage to private property.

20 (g) To transfer jurisdiction of or exchange any realty  
21 under the control of the Agency to any other Department of  
22 the State Government, or to any agency of the Federal  
23 Government, or to acquire or accept Federal lands, when any  
24 transfer, exchange, acquisition or acceptance is advantageous  
25 to the State and is approved in writing by the Governor.

26 (h) To erect, supervise, and maintain all public  
27 monuments and memorials erected by the State, except when the  
28 supervision and maintenance of public monuments and memorials  
29 is otherwise provided by law.

30 (i) To accept, hold, maintain, and administer, as  
31 trustee, property given in trust for educational or historic  
32 purposes for the benefit of the People of the State of  
33 Illinois and to dispose of any property under the terms of  
34 the instrument creating the trust.

1           (j) To lease concessions on any property under the  
2 jurisdiction of the Agency for a period not exceeding 25  
3 years and to lease a concession complex at Lincoln's New  
4 Salem State Historic Site for which a cash incentive has been  
5 authorized under Section 5.1 of the Historic Preservation  
6 Agency Act for a period not to exceed 40 years. All leases,  
7 for whatever period, shall be made subject to the written  
8 approval of the Governor. All concession leases extending  
9 for a period in excess of 10 years, will contain provisions  
10 for the Agency to participate, on a percentage basis, in the  
11 revenues generated by any concession operation.

12           (k) To sell surplus agricultural products grown on land  
13 owned by or under the jurisdiction of the Agency, when the  
14 products cannot be used by the Agency.

15           (l) To enforce the laws of the State and the rules and  
16 regulations of the Agency in or on any lands owned, leased,  
17 or managed by the Agency.

18           (m) To cooperate with private organizations and agencies  
19 of the State of Illinois by providing areas and the use of  
20 staff personnel where feasible for the sale of publications  
21 on the historic and cultural heritage of the State and craft  
22 items made by Illinois craftsmen. These sales shall not  
23 conflict with existing concession agreements. The Agency is  
24 authorized to negotiate with the organizations and agencies  
25 for a portion of the monies received from sales to be  
26 returned to the Agency's Historic Sites Fund for the  
27 furtherance of interpretive and restoration programs.

28           (n) To establish local bank or savings and loan  
29 association accounts, upon the written authorization of the  
30 Director, to temporarily hold income received at any of its  
31 properties. The local accounts established under this Section  
32 shall be in the name of the Historic Preservation Agency and  
33 shall be subject to regular audits. The balance in a local  
34 bank or savings and loan association account shall be

1 forwarded each week to the Agency for deposit with the State  
2 Treasurer when on Monday of that each week if the amount to  
3 be deposited in a fund exceeds \$500.

4 No bank or savings and loan association shall receive  
5 public funds as permitted by this Section, unless it has  
6 complied with the requirements established under Section 6 of  
7 the Public Funds Investment Act.

8 (o) To accept offers of gifts, gratuities, or grants  
9 from the federal government, its agencies, or offices, or  
10 from any person, firm, or corporation.

11 (p) To make reasonable rules and regulations as may be  
12 necessary to discharge the duties of the Agency.

13 (q) With appropriate cultural organizations, to further  
14 and advance the goals of the Agency.

15 (r) To make grants for the purposes of planning, survey,  
16 rehabilitation, restoration, reconstruction, landscaping, and  
17 acquisition of Illinois properties (i) designated  
18 individually in the National Register of Historic Places,  
19 (ii) designated as a landmark under a county or municipal  
20 landmark ordinance, or (iii) located within a National  
21 Register of Historic Places historic district or a locally  
22 designated historic district when the Director determines  
23 that the property is of historic significance whenever an  
24 appropriation is made therefor by the General Assembly or  
25 whenever gifts or grants are received for that purpose and to  
26 promulgate regulations as may be necessary or desirable to  
27 carry out the purposes of the grants.

28 Grantees may, as prescribed by rule, be required to  
29 provide matching funds for each grant. Grants made under  
30 this subsection shall be known as Illinois Heritage Grants.

31 Every owner of a historic property, or the owner's agent,  
32 is eligible to apply for a grant under this subsection.

33 (s) To establish and implement a pilot program for  
34 charging admission to State historic sites. Fees may be

1 charged for special events, admissions, and parking or any  
2 combination; fees may be charged at all sites or selected  
3 sites. All fees shall be deposited into the Illinois Historic  
4 Sites Fund. The Agency shall have the discretion to set and  
5 adjust reasonable fees at the various sites, taking into  
6 consideration various factors including but not limited to:  
7 cost of services furnished to each visitor, impact of fees on  
8 attendance and tourism and the costs expended collecting the  
9 fees. The Agency shall keep careful records of the income  
10 and expenses resulting from the imposition of fees, shall  
11 keep records as to the attendance at each historic site, and  
12 shall report to the Governor and General Assembly by January  
13 31 after the close of each year. The report shall include  
14 information on costs, expenses, attendance, comments by  
15 visitors, and any other information the Agency may believe  
16 pertinent, including:

17 (1) Recommendations as to whether fees should be  
18 continued at each State historic site.

19 (2) How the fees should be structured and imposed.

20 (3) Estimates of revenues and expenses associated  
21 with each site.

22 In the final report to be filed by January 31, 1996, the  
23 Agency shall include recommendations as to whether fees  
24 should be charged at State historic sites and if so how the  
25 fees should be structured and imposed and estimates of  
26 revenues and expenses associated with any recommended fees.

27 (t) To provide for overnight tent and trailer campsites  
28 and to provide suitable housing facilities for student and  
29 juvenile overnight camping groups. The Agency shall charge  
30 the same rates charged by the Department of Conservation for  
31 the same or similar facilities and services.

32 (u) To engage in marketing activities designed to  
33 promote the sites and programs administered by the Agency.

34 In undertaking these activities, the Agency may take all

1 necessary steps with respect to products and services,  
2 including but not limited to retail sales, wholesale sales,  
3 direct marketing, mail order sales, telephone sales,  
4 advertising and promotion, purchase of product and materials  
5 inventory, design, printing and manufacturing of new  
6 products, reproductions, and adaptations, copyright and  
7 trademark licensing and royalty agreements, and payment of  
8 applicable taxes. In addition, the Agency shall have the  
9 authority to sell advertising in its publications and printed  
10 materials. All income from marketing activities shall be  
11 deposited into the Illinois Historic Sites Fund.

12 (Source: P.A. 91-202, eff. 1-1-00.)

13 Section 99. Effective date. This Act takes effect on  
14 July 1, 2001.