

1 AMENDMENT TO SENATE BILL 1265

2 AMENDMENT NO. _____. Amend Senate Bill 1265 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Aeronautics Act is amended by
5 changing Sections 47 and 48 as follows:

6 (620 ILCS 5/47) (from Ch. 15 1/2, par. 22.47)

7 Sec. 47. Operation without certificate of approval
8 unlawful; applications.†

9 (a) An application for a certificate of approval of an
10 airport or restricted landing area, or the alteration or
11 extension thereof, shall set forth, among other things, the
12 location of all railways, mains, pipes, conduits, wires,
13 cables, poles and other facilities and structures of public
14 service corporations or municipal or quasi-municipal
15 corporations, located within the area proposed to be acquired
16 or restricted, and the names of persons owning the same, to
17 the extent that such information can be reasonably
18 ascertained by the applicant.

19 (b) It shall be unlawful for any municipality or other
20 political subdivision, or officer or employee thereof, or for
21 any person, to make any alteration or extension of an
22 existing airport or restricted landing area, or to use or

1 operate any airport or restricted landing area, for which a
2 certificate of approval has not been issued by the
3 Department; provided, that no certificate of approval shall
4 be required for an airport or restricted landing area which
5 was in existence and approved by the Illinois Aeronautics
6 Commission, whether or not being operated, on or before July
7 1, 1945.

8 (c) Notwithstanding any other provision of this Section
9 or any other law, it is unlawful for any municipality or
10 other political subdivision, or officer or employee thereof,
11 or for any person, to make any alteration or extension of
12 Chicago O'Hare International Airport, including but not
13 limited to the construction or extension of any runway,
14 without a certificate of approval issued by the Department.
15 This subsection (c) is a denial and limitation of home rule
16 powers and functions under subsection (h) of Section 6 of
17 Article VII of the Illinois Constitution.

18 (d) The provisions of this Section do not apply to
19 special purpose aircraft designated as such by the Department
20 when operating to or from uncertificated areas other than
21 their principal base of operations, provided mutually
22 acceptable arrangements are made with the property owner, and
23 provided the owner or operator of the aircraft assumes
24 liabilities which may arise out of such operations.

25 (Source: P.A. 81-840.)

26 (620 ILCS 5/48) (from Ch. 15 1/2, par. 22.48)

27 Sec. 48. Standards for issuing certificates of approval.

28 (a) In determining whether it shall issue a certificate
29 of approval for any airport or restricted landing area, or
30 any alteration or extension thereof, the Department shall
31 take into consideration its proposed location, size and
32 layout, the relationship of the proposed airport or
33 restricted landing area to the then current national airport

1 plan, the then current Federal airways system, the then
2 current State airport plan, and the then current State
3 airways system, whether there are safe areas available for
4 expansion purposes, whether the adjoining area is free from
5 obstructions based on a proper glide ratio, the nature of the
6 terrain, the nature of the uses to which the proposed airport
7 or restricted landing area will be put, the possibilities for
8 future development, and such other factors as, under the
9 circumstances, it regards as having an important bearing
10 thereon.

11 (b) The Department shall not issue a certificate of
12 approval for any alteration or extension of Chicago O'Hare
13 International Airport unless all of the parties (or their
14 successors) have agreed and the court has accepted an
15 amendment to the Settlement Agreement dated January 6, 1997
16 in Case No. 96 CH 9789 in the Circuit Court of Cook County,
17 Illinois, extending by an additional 20 years the Operations
18 Period during which the City of Chicago and the Chicago Park
19 District agree to continue to maintain and operate Merrill C.
20 Meigs Field as an airport and to provide appropriate access,
21 services, equipment, and property.

22 (Source: Laws 1945, p. 335.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."