

AN ACT concerning local government.

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

Section 5. The Illinois Waterway Ports Commission Act is amended by changing Sections 5, 10, and 15 as follows:

(70 ILCS 1816/5)

Sec. 5. Creation; membership; administrative support.

(a) The Illinois Waterway Ports Commission is hereby created. The Commission shall exercise jurisdiction with respect to the duties and powers delegated to it under this Act within the following port districts and counties: the Seneca Regional Port District, the Ottawa Port District, the Illinois Valley Regional Port District, the Heart of Illinois Regional Port District, and the Havana Port District and Fulton, Mason, Tazewell, Peoria, Woodford, Marshall, Putnam, Bureau, LaSalle, and Grundy counties.

(b) The Commission shall consist of the following 9 appointed members:

(1) a member appointed by the Chairperson of the Board of the Seneca Regional Port District, ~~appointed by the Chairperson of the Board;~~

(2) a member appointed by the Chairperson of the Board of the Ottawa Port District, ~~appointed by the Chairperson~~

~~of the Board;~~

(3) a member appointed by the Chairperson of the Board of the Illinois Valley Regional Port District, ~~appointed by the Chairperson of the Board;~~

(4) a member appointed by the Chairperson of the Board of the Heart of Illinois Regional Port District, ~~appointed by the Chairperson of the Board;~~

(5) a member appointed by the Chairperson of the Board of the Havana Regional Port District, ~~appointed by the Chairperson of the Board;~~

(6) a member from a not-for-profit organization that assists with local government planning within the northern territory of the Commission, appointed by the majority vote of the chairpersons of the Seneca Regional Port District, Ottawa Port District, Illinois Valley Regional Port District, Heart of Illinois Regional Port District, and Havana Regional Port District;

(7) a member appointed by the Tri-County Regional Planning Commission from the Tri-County Regional Planning Commission;

(8) a member from a not-for-profit organization that assists with local government planning within the southern territory of the Commission, appointed by the majority vote of the chairpersons of the Seneca Regional Port District, Ottawa Port District, Illinois Valley Regional Port District, Heart of Illinois Regional Port District,

and Havana Regional Port District;

(9) a member that is recommended by the Chairperson of the Board of the Heart of Illinois Regional Port District and appointed by the majority vote of the chairpersons of the Seneca Regional Port District, Ottawa Port District, Illinois Valley Regional Port District, Heart of Illinois Regional Port District, and Havana Regional Port District.

The members shall be appointed no later than 90 days after the effective date of this Act. The members shall hold office for a period of 6 years, or until a successor has been appointed, and the members shall serve without compensation. At the expiration of the term of an appointed member, the person, organization, chairperson, or chairpersons who appointed the member shall appoint a successor who shall hold office for 6 years or until a successor has been appointed.

(c) The members of the Commission shall elect a chairperson of the Commission for a 2-year term after all the members are selected. A member of the Commission shall not serve more than 2 terms as chairperson.

(d) If a vacancy occurs in the Commission membership, the vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

(e) The Commission shall meet no less than once a year.

(f) The Heart of Illinois Regional Port District shall provide administrative support and other support to the Commission.

(Source: P.A. 103-214, eff. 6-30-23.)

(70 ILCS 1816/10)

Sec. 10. Duties. The Commission has the following duties:

(1) to coordinate and synchronize common efforts and initiatives within the areas over which it has jurisdiction under this Act ~~in order to enhance the reporting and benefits of statistical data;~~

(2) to make recommendations to the Governor, the General Assembly, Congress, and federal agencies on regional issues that impact multimodal transportation, economic development, environmental sustainability, and climate resiliency within the areas over which it has jurisdiction under this Act;

(3) to coordinate and synchronize common efforts and initiatives with the Mid-America Port Commission and the Joliet Regional Port District;

(4) to coordinate and synchronize federal activities associated with the nonfederal sponsorship and development of the M-55 Illinois-Gulf Marine Highway; and

(5) to request funding or assist in requesting funding, as it deems necessary, for those areas over which it has jurisdiction under this Act.

(Source: P.A. 103-214, eff. 6-30-23.)

(70 ILCS 1816/15)

Sec. 15. Powers.

(a) The Commission may request funding from any federal, state, municipal, or local government or any other person or organization for purposes of the Commission within the Commission's jurisdiction. The individual port districts within the Commission's jurisdiction retain authority to request funding from any federal, state, municipal, or local government or any other person or organization for purposes of the individual port districts within the Commission area.

(b) The Commission may enter into a memorandum of understanding or intergovernmental agreement with the State, a unit of local government, or a federal governmental organization in the performance of its duties. The Commission may not exercise control over an ~~a~~ operation of a port district established by any other law except by voluntary agreement between the port district and the Commission.

(c) The Commission may acquire, purchase, install, lease, construct, own, hold, maintain, equip, use, control, or operate ports, harbors, waterways, channels, wharves, piers, docks, quays, elevators, tipples, compresses, bulk loading and unloading facilities, warehouse, dry docks, marine support railways, tugboats, ships, vessels, shipyards, shipbuilding facilities, machinery and equipment dredges, or any other facilities required or incidental to the construction, outfitting, dry docking, or repair of ships or vessels, or water, air, or rail terminals, or roadways or approaches to the facilities or other structures or facilities necessary for

the convenient use of the same in the aid of commerce, including the dredging, deepening, extending, widening, or enlarging of any ports, harbors, rivers, channels, or waterways, the damming of inland waterways, the establishment of a water basin, the acquisition and development of industrial sites, or the reclaiming of submerged lands.

(d) The Commission may not exercise control over the operation of port districts established by any other law of the State, except by voluntary agreement between the port district and the Commission.

(e) ~~(e)~~ The Commission may perform any other act that may be useful in performing its duties under Section 10 or powers under this Section, including, but not limited to, enhancing the reporting and benefits of statistical data.

(Source: P.A. 103-214, eff. 6-30-23; revised 9-25-23.)

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