

1 AN ACT concerning education.

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

4 Section 5. The Southern Illinois University Management Act  
5 is amended by changing Section 8 as follows:

6 (110 ILCS 520/8) (from Ch. 144, par. 658)

7 Sec. 8. Powers and Duties of the Board. The Board shall  
8 have power and it shall be its duty:

9 1. To make rules, regulations and by-laws, not  
10 inconsistent with law, for the government and management of  
11 Southern Illinois University and its branches.

12 2. To employ, and, for good cause, to remove a  
13 president of Southern Illinois University, and all  
14 necessary deans, professors, associate professors,  
15 assistant professors, instructors, and other educational  
16 and administrative assistants, and all other necessary  
17 employees, and contract with them upon matters relating to  
18 tenure, salaries and retirement benefits in accordance  
19 with the State Universities Civil Service Act; the Board  
20 shall, upon the written request of an employee of Southern  
21 Illinois University, withhold from the compensation of  
22 that employee any dues, payments or contributions payable  
23 by such employee to any labor organization as defined in

1 the Illinois Educational Labor Relations Act. Under such  
2 arrangement, an amount shall be withheld from each regular  
3 payroll period which is equal to the pro rata share of the  
4 annual dues plus any payments or contributions, and the  
5 Board shall transmit such withholdings to the specified  
6 labor organization within 10 working days from the time of  
7 the withholding. Whenever the Board establishes a search  
8 committee to fill the position of president of Southern  
9 Illinois University, there shall be minority  
10 representation, including women, on that search committee.

11 3. To prescribe the course of study to be followed, and  
12 textbooks and apparatus to be used at Southern Illinois  
13 University.

14 4. To issue upon the recommendation of the faculty,  
15 diplomas to such persons as have satisfactorily completed  
16 the required studies of Southern Illinois University, and  
17 confer such professional and literary degrees as are  
18 usually conferred by other institutions of like character  
19 for similar or equivalent courses of study, or such as the  
20 Board may deem appropriate.

21 5. To examine into the conditions, management, and  
22 administration of Southern Illinois University, to provide  
23 the requisite buildings, apparatus, equipment and  
24 auxiliary enterprises, and to fix and collect  
25 matriculation fees; tuition fees; fees for student  
26 activities; fees for student facilities such as student

1 union buildings or field houses or stadium or other  
2 recreational facilities; student welfare fees; laboratory  
3 fees and similar fees for supplies and material.

4 6. To succeed to and to administer all trusts, trust  
5 property, and gifts now or hereafter belonging or  
6 pertaining to Southern Illinois University.

7 7. To accept endowments of professorships or  
8 departments in the University from any person who may  
9 proffer them and, at regular meetings, to prescribe rules  
10 and regulations in relation to endowments and declare on  
11 what general principles they may be accepted.

12 8. To enter into contracts with the Federal government  
13 for providing courses of instruction and other services at  
14 Southern Illinois University for persons serving in or with  
15 the military or naval forces of the United States, and to  
16 provide such courses of instruction and other services.

17 9. To provide for the receipt and expenditures of  
18 Federal funds, paid to the Southern Illinois University by  
19 the Federal government for instruction and other services  
20 for persons serving in or with the military or naval forces  
21 of the United States and to provide for audits of such  
22 funds.

23 10. To appoint, subject to the applicable civil service  
24 law, persons to be members of the Southern Illinois  
25 University Police Department. Members of the Police  
26 Department shall be conservators of the peace and as such

1           have all powers possessed by policemen in cities, and  
2           sheriffs, including the power to make arrests on view or  
3           warrants of violations of state statutes, university rules  
4           and regulations and city or county ordinances, except that  
5           they may exercise such powers only within counties wherein  
6           the university and any of its branches or properties are  
7           located when such is required for the protection of  
8           university properties and interests, and its students and  
9           personnel, and otherwise, within such counties, when  
10          requested by appropriate State or local law enforcement  
11          officials. However, such officers shall have no power to  
12          serve and execute civil processes.

13                 The Board must authorize to each member of the Southern  
14          Illinois University Police Department and to any other  
15          employee of Southern Illinois University exercising the  
16          powers of a peace officer a distinct badge that, on its  
17          face, (i) clearly states that the badge is authorized by  
18          Southern Illinois University and (ii) contains a unique  
19          identifying number. No other badge shall be authorized by  
20          Southern Illinois University.

21                 10.5. To conduct health care programs in furtherance of  
22          its teaching, research, and public service functions,  
23          which shall include without limitation patient and  
24          ancillary facilities, institutes, clinics, or offices  
25          owned, leased, or purchased through an equity interest by  
26          the Board or its appointed designee to carry out such

1 activities in the course of or in support of the Board's  
2 academic, clinical, and public service responsibilities.

3 11. To administer a plan or plans established by the  
4 clinical faculty of the School of Medicine or the School of  
5 Dental Medicine for the billing, collection and  
6 disbursement of charges for services performed in the  
7 course of or in support of the faculty's academic  
8 responsibilities, provided that such plan has been first  
9 approved by Board action. All such collections shall be  
10 deposited into a special fund or funds administered by the  
11 Board from which disbursements may be made according to the  
12 provisions of said plan. The reasonable costs incurred, by  
13 the University, administering the billing, collection and  
14 disbursement provisions of a plan shall have first priority  
15 for payment before distribution or disbursement for any  
16 other purpose. Audited financial statements of the plan or  
17 plans must be provided to the Legislative Audit Commission  
18 annually.

19 The Board of Trustees may own, operate, or govern, by  
20 or through the School of Medicine, a managed care community  
21 network established under subsection (b) of Section 5-11 of  
22 the Illinois Public Aid Code.

23 12. The Board of Trustees may, directly or in  
24 cooperation with other institutions of higher education,  
25 acquire by purchase or lease or otherwise, and construct,  
26 enlarge, improve, equip, complete, operate, control and

1 manage medical research and high technology parks,  
2 together with the necessary lands, buildings, facilities,  
3 equipment, and personal property therefor, to encourage  
4 and facilitate (a) the location and development of business  
5 and industry in the State of Illinois, and (b) the  
6 increased application and development of technology and  
7 (c) the improvement and development of the State's economy.  
8 The Board of Trustees may lease to nonprofit corporations  
9 all or any part of the land, buildings, facilities,  
10 equipment or other property included in a medical research  
11 and high technology park upon such terms and conditions as  
12 the Board of Trustees may deem advisable and enter into any  
13 contract or agreement with such nonprofit corporations as  
14 may be necessary or suitable for the construction,  
15 financing, operation and maintenance and management of any  
16 such park; and may lease to any person, firm, partnership  
17 or corporation, either public or private, any part or all  
18 of the land, building, facilities, equipment or other  
19 property of such park for such purposes and upon such  
20 rentals, terms and conditions as the Board of Trustees may  
21 deem advisable; and may finance all or part of the cost of  
22 any such park, including the purchase, lease,  
23 construction, reconstruction, improvement, remodeling,  
24 addition to, and extension and maintenance of all or part  
25 of such high technology park, and all equipment and  
26 furnishings, by legislative appropriations, government

1 grants, contracts, private gifts, loans, receipts from the  
2 operation of such high technology park, rentals and similar  
3 receipts; and may make its other facilities and services  
4 available to tenants or other occupants of any such park at  
5 rates which are reasonable and appropriate.

6 13. To borrow money, as necessary, from time to time in  
7 anticipation of receiving tuition, payments from the State  
8 of Illinois, or other revenues or receipts of the  
9 University, also known as anticipated moneys. The  
10 borrowing limit shall be capped at 100% of the total amount  
11 of payroll and other expense vouchers submitted and payable  
12 to the University for fiscal year 2010 expenses, but unpaid  
13 by the State Comptroller's office. Prior to borrowing any  
14 funds, the University shall request from the Comptroller's  
15 office a verification of the borrowing limit and shall  
16 include the estimated date on which such borrowing shall  
17 occur. The borrowing limit cap shall be verified by the  
18 State Comptroller's office not prior to 45 days before any  
19 estimated date for executing any promissory note or line of  
20 credit established under this item 13. The principal amount  
21 borrowed under a promissory note or line of credit shall  
22 not exceed 75% of the borrowing limit. Within 15 days after  
23 borrowing funds under any promissory note or line of credit  
24 established under this item 13, the University shall submit  
25 to the Governor's Office of Management and Budget, the  
26 Speaker of the House of Representatives, the Minority

1 Leader of the House of Representatives, the President of  
2 the Senate, and the Minority Leader of the Senate an  
3 Emergency Short Term Cash Management Plan. The Emergency  
4 Short Term Cash Management Plan shall outline the amount  
5 borrowed, the terms for repayment, the amount of  
6 outstanding State vouchers as verified by the State  
7 Comptroller's office, and the University's plan for  
8 expenditure of any borrowed funds, including, but not  
9 limited to, a detailed plan to meet payroll obligations to  
10 include collective bargaining employees, civil service  
11 employees, and academic, research, and health care  
12 personnel. The establishment of any promissory note or line  
13 of credit established under this item 13 must be finalized  
14 within 90 days after the effective date of this amendatory  
15 Act of the 96th General Assembly. The borrowed moneys shall  
16 be applied to the purposes of paying salaries and other  
17 expenses lawfully authorized in the University's State  
18 appropriation and unpaid by the State Comptroller. Any line  
19 of credit established under this item 13 shall be paid in  
20 full one year after creation or within 10 days after the  
21 date the University receives reimbursement from the State  
22 for all submitted fiscal year 2010 vouchers, whichever is  
23 earlier. Any promissory note established under this item 13  
24 shall be repaid within one year after issuance of the note.  
25 The Chairman, Comptroller, or Treasurer of the Board shall  
26 execute a promissory note or similar debt instrument to



1 evidence the indebtedness incurred by the borrowing. In  
2 connection with a borrowing, the Board may establish a line  
3 of credit with a financial institution, investment bank, or  
4 broker/dealer. The obligation to make the payments due  
5 under any promissory note or line of credit established  
6 under this item 13 shall be a lawful obligation of the  
7 University payable from the anticipated moneys. Any  
8 borrowing under this item 13 shall not constitute a debt,  
9 legal or moral, of the State and shall not be enforceable  
10 against the State. The promissory note or line of credit  
11 shall be authorized by a resolution passed by the Board and  
12 shall be valid whether or not a budgeted item with respect  
13 to that resolution is included in any annual or  
14 supplemental budget adopted by the Board. The resolution  
15 shall set forth facts demonstrating the need for the  
16 borrowing, state an amount that the amount to be borrowed  
17 will not exceed, and establish a maximum interest rate  
18 limit not to exceed the maximum rate authorized by the Bond  
19 Authorization Act or 9%, whichever is less. The resolution  
20 may direct the Comptroller or Treasurer of the Board to  
21 make arrangements to set apart and hold the portion of the  
22 anticipated moneys, as received, that shall be used to  
23 repay the borrowing, subject to any prior pledges or  
24 restrictions with respect to the anticipated moneys. The  
25 resolution may also authorize the Treasurer of the Board to  
26 make partial repayments of the borrowing as the anticipated

1 moneys become available and may contain any other terms,  
2 restrictions, or limitations not inconsistent with the  
3 powers of the Board.

4 For the purposes of this item 13, "financial  
5 institution" means any bank subject to the Illinois Banking  
6 Act, any savings and loan association subject to the  
7 Illinois Savings and Loan Act of 1985, and any federally  
8 chartered commercial bank or savings and loan association  
9 or government-sponsored enterprise organized and operated  
10 in this State pursuant to the laws of the United States.

11 The powers of the Board as herein designated are subject to  
12 the Board of Higher Education Act.

13 (Source: P.A. 96-909, eff. 6-8-10; 97-333, eff. 8-12-11.)

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