

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.