



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1962

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Kevin A. McCarthy

#### SYNOPSIS AS INTRODUCED:

110 ILCS 305/7

from Ch. 144, par. 28

Amends the University of Illinois Act. Makes a technical change in a Section concerning the powers of trustees.

LRB094 02957 NHT 32958 b

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 University of Illinois Act is amended by  
5 changing Section 7 as follows:

6 (110 ILCS 305/7) (from Ch. 144, par. 28)

7 Sec. 7. Powers of trustees.

8 (a) The ~~The~~ trustees shall have power to provide for the  
9 requisite buildings, apparatus, and conveniences; to fix the  
10 rates for tuition; to appoint such professors and instructors,  
11 and to establish and provide for the management of such model  
12 farms, model art, and other departments and professorships, as  
13 may be required to teach, in the most thorough manner, such  
14 branches of learning as are related to agriculture and the  
15 mechanic arts, and military tactics, without excluding other  
16 scientific and classical studies. The trustees shall, upon the  
17 written request of an employee withhold from the compensation  
18 of that employee any dues, payments or contributions payable by  
19 such employee to any labor organization as defined in the  
20 Illinois Educational Labor Relations Act. Under such  
21 arrangement, an amount shall be withheld from each regular  
22 payroll period which is equal to the pro rata share of the  
23 annual dues plus any payments or contributions, and the  
24 trustees shall transmit such withholdings to the specified  
25 labor organization within 10 working days from the time of the  
26 withholding. They may accept the endowments and voluntary  
27 professorships or departments in the University, from any  
28 person or persons or corporations who may offer the same, and,  
29 at any regular meeting of the board, may prescribe rules and  
30 regulations in relation to such endowments and declare on what  
31 general principles they may be admitted: Provided, that such  
32 special voluntary endowments or professorships shall not be

1 incompatible with the true design and scope of the act of  
2 congress, or of this Act: Provided, that no student shall at  
3 any time be allowed to remain in or about the University in  
4 idleness, or without full mental or industrial occupation: And  
5 provided further, that the trustees, in the exercise of any of  
6 the powers conferred by this Act, shall not create any  
7 liability or indebtedness in excess of the funds in the hands  
8 of the treasurer of the University at the time of creating such  
9 liability or indebtedness, and which may be specially and  
10 properly applied to the payment of the same. Any lease to the  
11 trustees of lands, buildings or facilities which will support  
12 scientific research and development in such areas as high  
13 technology, super computing, microelectronics, biotechnology,  
14 robotics, physics and engineering shall be for a term not to  
15 exceed 18 years, and may grant to the trustees the option to  
16 purchase the lands, buildings or facilities. The lease shall  
17 recite that it is subject to termination and cancellation in  
18 any year for which the General Assembly fails to make an  
19 appropriation to pay the rent payable under the terms of the  
20 lease.

21 Leases for the purposes described herein exceeding 5 years  
22 shall have the approval of the Illinois Board of Higher  
23 Education.

24 The Board of Trustees may, directly or in cooperation with  
25 other institutions of higher education, acquire by purchase or  
26 lease or otherwise, and construct, enlarge, improve, equip,  
27 complete, operate, control and manage medical research and high  
28 technology parks, together with the necessary lands,  
29 buildings, facilities, equipment and personal property  
30 therefor, to encourage and facilitate (a) the location and  
31 development of business and industry in the State of Illinois,  
32 and (b) the increased application and development of technology  
33 and (c) the improvement and development of the State's economy.  
34 The Board of Trustees may lease to nonprofit corporations all  
35 or any part of the land, buildings, facilities, equipment or  
36 other property included in a medical research and high

1 technology park upon such terms and conditions as the  
2 University of Illinois may deem advisable and enter into any  
3 contract or agreement with such nonprofit corporations as may  
4 be necessary or suitable for the construction, financing,  
5 operation and maintenance and management of any such park; and  
6 may lease to any person, firm, partnership or corporation,  
7 either public or private, any part or all of the land,  
8 building, facilities, equipment or other property of such park  
9 for such purposes and upon such rentals, terms and conditions  
10 as the University may deem advisable; and may finance all or  
11 part of the cost of any such park, including the purchase,  
12 lease, construction, reconstruction, improvement, remodeling,  
13 addition to, and extension and maintenance of all or part of  
14 such high technology park, and all equipment and furnishings,  
15 by legislative appropriations, government grants, contracts,  
16 private gifts, loans, receipts from the operation of such high  
17 technology park, rentals and similar receipts; and may make its  
18 other facilities and services available to tenants or other  
19 occupants of any such park at rates which are reasonable and  
20 appropriate.

21 The Trustees shall have power (a) to purchase real property  
22 and easements, and (b) to acquire real property and easements  
23 in the manner provided by law for the exercise of the right of  
24 eminent domain, and in the event negotiations for the  
25 acquisition of real property or easements for making any  
26 improvement which the Trustees are authorized to make shall  
27 have proven unsuccessful and the Trustees shall have by  
28 resolution adopted a schedule or plan of operation for the  
29 execution of the project and therein made a finding that it is  
30 necessary to take such property or easements immediately or at  
31 some specified later date in order to comply with the schedule,  
32 the Trustees may acquire such property or easements in the same  
33 manner provided in Sections 7-103 through 7-112 of the Code of  
34 Civil Procedure.

35 The Board of Trustees also shall have power to agree with  
36 the State's Attorney of the county in which any properties of

1 the Board are located to pay for services rendered by the  
2 various taxing districts for the years 1944 through 1949 and to  
3 pay annually for services rendered thereafter by such district  
4 such sums as may be determined by the Board upon properties  
5 used solely for income producing purposes, title to which is  
6 held by said Board of Trustees, upon properties leased to  
7 members of the staff of the University of Illinois, title to  
8 which is held in trust for said Board of Trustees and upon  
9 properties leased to for-profit entities the title to which  
10 properties is held by the Board of Trustees. A certified copy  
11 of any such agreement made with the State's Attorney shall be  
12 filed with the County Clerk and such sums shall be distributed  
13 to the respective taxing districts by the County Collector in  
14 such proportions that each taxing district will receive  
15 therefrom such proportion as the tax rate of such taxing  
16 district bears to the total tax rate that would be levied  
17 against such properties if they were not exempt from taxation  
18 under the Property Tax Code.

19 The Board of Trustees of the University of Illinois,  
20 subject to the applicable civil service law, may appoint  
21 persons to be members of the University of Illinois Police  
22 Department. Members of the Police Department shall be peace  
23 officers and as such have all powers possessed by policemen in  
24 cities, and sheriffs, including the power to make arrests on  
25 view or warrants of violations of state statutes and city or  
26 county ordinances, except that they may exercise such powers  
27 only in counties wherein the University and any of its branches  
28 or properties are located when such is required for the  
29 protection of university properties and interests, and its  
30 students and personnel, and otherwise, within such counties,  
31 when requested by appropriate state or local law enforcement  
32 officials; provided, however, that such officer shall have no  
33 power to serve and execute civil processes.

34 The Board of Trustees must authorize to each member of the  
35 University of Illinois Police Department and to any other  
36 employee of the University of Illinois exercising the powers of

1 a peace officer a distinct badge that, on its face, (i) clearly  
2 states that the badge is authorized by the University of  
3 Illinois and (ii) contains a unique identifying number. No  
4 other badge shall be authorized by the University of Illinois.  
5 Nothing in this paragraph prohibits the Board of Trustees from  
6 issuing shields or other distinctive identification to  
7 employees not exercising the powers of a peace officer if the  
8 Board of Trustees determines that a shield or distinctive  
9 identification is needed by the employee to carry out his or  
10 her responsibilities.

11 The Board of Trustees may own, operate, or govern, by or  
12 through the College of Medicine at Peoria, a managed care  
13 community network established under subsection (b) of Section  
14 5-11 of the Illinois Public Aid Code.

15 The powers of the trustees as herein designated are subject  
16 to the provisions of "An Act creating a Board of Higher  
17 Education, defining its powers and duties, making an  
18 appropriation therefor, and repealing an Act herein named",  
19 approved August 22, 1961, as amended.

20 The Board of Trustees shall have the authority to adopt all  
21 administrative rules which may be necessary for the effective  
22 administration, enforcement and regulation of all matters for  
23 which the Board has jurisdiction or responsibility.

24 (b) To assist in the provision of buildings and facilities  
25 beneficial to, useful for, or supportive of University  
26 purposes, the Board of Trustees of the University of Illinois  
27 may exercise the following powers with regard to the area  
28 located on or adjacent to the University of Illinois at Chicago  
29 campus and bounded as follows: on the West by Morgan Street; on  
30 the North by Roosevelt Road; on the East by Union Street; and  
31 on the South by 16th Street, in the City of Chicago:

32 (1) Acquire any interests in land, buildings, or  
33 facilities by purchase, including installments payable  
34 over a period allowed by law, by lease over a term of such  
35 duration as the Board of Trustees shall determine, or by  
36 exercise of the power of eminent domain;

1           (2) Sub-lease or contract to purchase through  
2           installments all or any portion of buildings or facilities  
3           for such duration and on such terms as the Board of  
4           Trustees shall determine, including a term that exceeds 5  
5           years, provided that each such lease or purchase contract  
6           shall be and shall recite that it is subject to termination  
7           and cancellation in any year for which the General Assembly  
8           fails to make an appropriation to pay the rent or purchase  
9           installments payable under the terms of such lease or  
10          purchase contract; and

11          (3) Sell property without compliance with the State  
12          Property Control Act and retain proceeds in the University  
13          Treasury in a special, separate development fund account  
14          which the Auditor General shall examine to assure  
15          compliance with this Act.

16          Any buildings or facilities to be developed on the land shall  
17          be buildings or facilities that, in the determination of the  
18          Board of Trustees, in whole or in part: (i) are for use by the  
19          University; or (ii) otherwise advance the interests of the  
20          University, including, by way of example, residential  
21          facilities for University staff and students and commercial  
22          facilities which provide services needed by the University  
23          community. Revenues from the development fund account may be  
24          withdrawn by the University for the purpose of demolition and  
25          the processes associated with demolition; routine land and  
26          property acquisition; extension of utilities; streetscape  
27          work; landscape work; surface and structure parking;  
28          sidewalks, recreational paths, and street construction; and  
29          lease and lease purchase arrangements and the professional  
30          services associated with the planning and development of the  
31          area. Moneys from the development fund account used for any  
32          other purpose must be deposited into and appropriated from the  
33          General Revenue Fund. Buildings or facilities leased to an  
34          entity or person other than the University shall not be subject  
35          to any limitations applicable to a State supported college or  
36          university under any law. All development on the land and all

1 use of any buildings or facilities shall be subject to the  
2 control and approval of the Board of Trustees.

3 (Source: P.A. 92-370, eff. 8-15-01; 93-423, eff. 8-5-03.)