



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6192

Introduced 2/11/2010, by Rep. Chapin Rose - Richard P. Myers

SYNOPSIS AS INTRODUCED:

30 ILCS 605/1.02	from Ch. 127, par. 133b3
110 ILCS 305/7	from Ch. 144, par. 28
110 ILCS 520/7	from Ch. 144, par. 657
110 ILCS 660/5-40	
110 ILCS 665/10-40	
110 ILCS 670/15-40	
110 ILCS 675/20-40	
110 ILCS 680/25-40	
110 ILCS 685/30-40	
110 ILCS 690/35-40	

Amends the State Property Control Act, the University of Illinois Act, the Southern Illinois University Management Act, the Chicago State University Law, the Eastern Illinois University Law, the Governors State University Law, the Illinois State University Law, the Northeastern Illinois University Law, the Northern Illinois University Law, and the Western Illinois University Law. Allows the trustees of the universities to purchase and convey real property and easements without compliance with the State Property Control Act. Effective immediately.

LRB096 20676 AMC 36395 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 State Property Control Act is amended by
5 changing Section 1.02 as follows:

6 (30 ILCS 605/1.02) (from Ch. 127, par. 133b3)

7 Sec. 1.02. "Property" means State owned property and
8 includes all real estate, with the exception of rights of way
9 for State water resource and highway improvements, traffic
10 signs and traffic signals, and with the exception of common
11 school and university property; and all tangible personal
12 property with the exception of properties specifically
13 exempted by the administrator, provided that any property
14 originally classified as real property which has been detached
15 from its structure shall be classified as personal property.

16 "Property" does not include property owned by the Illinois
17 Medical District Commission and leased or occupied by others
18 for purposes permitted under the Illinois Medical District Act.

19 "Property" also does not include property owned and held by the
20 Illinois Medical District Commission for redevelopment.

21 "Property" does not include property described under
22 Section 5 of Public Act 92-371 with respect to depositing the
23 net proceeds from the sale or exchange of the property as

1 provided in Section 10 of that Act.

2 "Property" does not include that property described under
3 Section 5 of Public Act 94-405.

4 "Property" does not include real property owned or operated
5 by the Illinois Power Agency or any electricity generated on
6 that real property or by the Agency. For purposes of this
7 subsection only, "real property" includes any interest in land,
8 all buildings and improvements located thereon, and all
9 fixtures and equipment used or designed for the production and
10 transmission of electricity located thereon.

11 (Source: P.A. 94-405, eff. 8-2-05; 95-331, eff. 8-21-07;
12 95-481, eff. 8-28-07.)

13 Section 10. The University of Illinois Act is amended by
14 changing Section 7 as follows:

15 (110 ILCS 305/7) (from Ch. 144, par. 28)

16 Sec. 7. Powers of trustees.

17 (a) The trustees shall have power to provide for the
18 requisite buildings, apparatus, and conveniences; to fix the
19 rates for tuition; to appoint such professors and instructors,
20 and to establish and provide for the management of such model
21 farms, model art, and other departments and professorships, as
22 may be required to teach, in the most thorough manner, such
23 branches of learning as are related to agriculture and the
24 mechanic arts, and military tactics, without excluding other

1 scientific and classical studies. The trustees shall, upon the
2 written request of an employee withhold from the compensation
3 of that employee any dues, payments or contributions payable by
4 such employee to any labor organization as defined in the
5 Illinois Educational Labor Relations Act. Under such
6 arrangement, an amount shall be withheld from each regular
7 payroll period which is equal to the pro rata share of the
8 annual dues plus any payments or contributions, and the
9 trustees shall transmit such withholdings to the specified
10 labor organization within 10 working days from the time of the
11 withholding. They may accept the endowments and voluntary
12 professorships or departments in the University, from any
13 person or persons or corporations who may offer the same, and,
14 at any regular meeting of the board, may prescribe rules and
15 regulations in relation to such endowments and declare on what
16 general principles they may be admitted: Provided, that such
17 special voluntary endowments or professorships shall not be
18 incompatible with the true design and scope of the act of
19 congress, or of this Act: Provided, that no student shall at
20 any time be allowed to remain in or about the University in
21 idleness, or without full mental or industrial occupation: And
22 provided further, that the trustees, in the exercise of any of
23 the powers conferred by this Act, shall not create any
24 liability or indebtedness in excess of the funds in the hands
25 of the treasurer of the University at the time of creating such
26 liability or indebtedness, and which may be specially and

1 properly applied to the payment of the same. Any lease to the
2 trustees of lands, buildings or facilities which will support
3 scientific research and development in such areas as high
4 technology, super computing, microelectronics, biotechnology,
5 robotics, physics and engineering shall be for a term not to
6 exceed 18 years, and may grant to the trustees the option to
7 purchase the lands, buildings or facilities. The lease shall
8 recite that it is subject to termination and cancellation in
9 any year for which the General Assembly fails to make an
10 appropriation to pay the rent payable under the terms of the
11 lease.

12 Leases for the purposes described herein exceeding 5 years
13 shall have the approval of the Illinois Board of Higher
14 Education.

15 The Board of Trustees may, directly or in cooperation with
16 other institutions of higher education, acquire by purchase or
17 lease or otherwise, and construct, enlarge, improve, equip,
18 complete, operate, control and manage medical research and high
19 technology parks, together with the necessary lands,
20 buildings, facilities, equipment and personal property
21 therefor, to encourage and facilitate (a) the location and
22 development of business and industry in the State of Illinois,
23 and (b) the increased application and development of technology
24 and (c) the improvement and development of the State's economy.
25 The Board of Trustees may lease to nonprofit corporations all
26 or any part of the land, buildings, facilities, equipment or

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

22 The Trustees shall have power (a) to purchase and convey
23 real property and easements without compliance with the State
24 Property Control Act, and (b) to acquire real property and
25 easements in the manner provided by law for the exercise of the
26 right of eminent domain, and in the event negotiations for the

1 acquisition of real property or easements for making any
2 improvement which the Trustees are authorized to make shall
3 have proven unsuccessful and the Trustees shall have by
4 resolution adopted a schedule or plan of operation for the
5 execution of the project and therein made a finding that it is
6 necessary to take such property or easements immediately or at
7 some specified later date in order to comply with the schedule,
8 the Trustees may acquire such property or easements in the same
9 manner provided in Article 20 of the Eminent Domain Act
10 (quick-take procedure).

11 The Board of Trustees also shall have power to agree with
12 the State's Attorney of the county in which any properties of
13 the Board are located to pay for services rendered by the
14 various taxing districts for the years 1944 through 1949 and to
15 pay annually for services rendered thereafter by such district
16 such sums as may be determined by the Board upon properties
17 used solely for income producing purposes, title to which is
18 held by said Board of Trustees, upon properties leased to
19 members of the staff of the University of Illinois, title to
20 which is held in trust for said Board of Trustees and upon
21 properties leased to for-profit entities the title to which
22 properties is held by the Board of Trustees. A certified copy
23 of any such agreement made with the State's Attorney shall be
24 filed with the County Clerk and such sums shall be distributed
25 to the respective taxing districts by the County Collector in
26 such proportions that each taxing district will receive

1 therefrom such proportion as the tax rate of such taxing
2 district bears to the total tax rate that would be levied
3 against such properties if they were not exempt from taxation
4 under the Property Tax Code.

5 The Board of Trustees of the University of Illinois,
6 subject to the applicable civil service law, may appoint
7 persons to be members of the University of Illinois Police
8 Department. Members of the Police Department shall be peace
9 officers and as such have all powers possessed by policemen in
10 cities, and sheriffs, including the power to make arrests on
11 view or warrants of violations of state statutes and city or
12 county ordinances, except that they may exercise such powers
13 only in counties wherein the University and any of its branches
14 or properties are located when such is required for the
15 protection of university properties and interests, and its
16 students and personnel, and otherwise, within such counties,
17 when requested by appropriate state or local law enforcement
18 officials; provided, however, that such officer shall have no
19 power to serve and execute civil processes.

20 The Board of Trustees must authorize to each member of the
21 University of Illinois Police Department and to any other
22 employee of the University of Illinois exercising the powers of
23 a peace officer a distinct badge that, on its face, (i) clearly
24 states that the badge is authorized by the University of
25 Illinois and (ii) contains a unique identifying number. No
26 other badge shall be authorized by the University of Illinois.

1 Nothing in this paragraph prohibits the Board of Trustees from
2 issuing shields or other distinctive identification to
3 employees not exercising the powers of a peace officer if the
4 Board of Trustees determines that a shield or distinctive
5 identification is needed by the employee to carry out his or
6 her responsibilities.

7 The Board of Trustees may own, operate, or govern, by or
8 through the College of Medicine at Peoria, a managed care
9 community network established under subsection (b) of Section
10 5-11 of the Illinois Public Aid Code.

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

16 The Board of Trustees shall have the authority to adopt all
17 administrative rules which may be necessary for the effective
18 administration, enforcement and regulation of all matters for
19 which the Board has jurisdiction or responsibility.

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

1 on the South by 16th Street, in the City of Chicago:

2 (1) Acquire any interests in land, buildings, or
3 facilities by purchase, including installments payable
4 over a period allowed by law, by lease over a term of such
5 duration as the Board of Trustees shall determine, or by
6 exercise of the power of eminent domain;

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

17 (3) Sell property without compliance with the State
18 Property Control Act and retain proceeds in the University
19 Treasury in a special, separate development fund account
20 which the Auditor General shall examine to assure
21 compliance with this Act.

22 Any buildings or facilities to be developed on the land shall
23 be buildings or facilities that, in the determination of the
24 Board of Trustees, in whole or in part: (i) are for use by the
25 University; or (ii) otherwise advance the interests of the
26 University, including, by way of example, residential

1 facilities for University staff and students and commercial
2 facilities which provide services needed by the University
3 community. Revenues from the development fund account may be
4 withdrawn by the University for the purpose of demolition and
5 the processes associated with demolition; routine land and
6 property acquisition; extension of utilities; streetscape
7 work; landscape work; surface and structure parking;
8 sidewalks, recreational paths, and street construction; and
9 lease and lease purchase arrangements and the professional
10 services associated with the planning and development of the
11 area. Moneys from the development fund account used for any
12 other purpose must be deposited into and appropriated from the
13 General Revenue Fund. Buildings or facilities leased to an
14 entity or person other than the University shall not be subject
15 to any limitations applicable to a State supported college or
16 university under any law. All development on the land and all
17 use of any buildings or facilities shall be subject to the
18 control and approval of the Board of Trustees.

19 (Source: P.A. 93-423, eff. 8-5-03; 94-1055, eff. 1-1-07.)

20 Section 15. The Southern Illinois University Management
21 Act is amended by changing Section 7 as follows:

22 (110 ILCS 520/7) (from Ch. 144, par. 657)

23 Sec. 7. The Board shall have power to enter into contracts,
24 to sue and be sued, provided that any suit against the Board

1 based upon a claim sounding in tort must be filed in the Court
2 of Claims, to acquire, hold and convey real property as it
3 shall deem appropriate without compliance with the State
4 Property Control Act and personal property in accordance with
5 the State Property Control Act, and to expend the funds
6 appropriated to the University; provided that the Board in the
7 exercise of the powers conferred by this Act shall not create
8 any liability or indebtedness of funds from the Treasury of the
9 State in excess of the funds appropriated to the University.

10 Any lease to the Board of lands, buildings or facilities
11 which will support scientific research and development in such
12 areas as high technology, super computing, microelectronics,
13 biotechnology, robotics, physics and engineering shall be for a
14 term not to exceed 18 years, and may grant to the Board the
15 option to purchase the lands, buildings or facilities. The
16 lease shall recite that it is subject to termination and
17 cancellation in any year for which the General Assembly fails
18 to make an appropriation to pay the rent payable under the
19 terms of the lease.

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

23 The Board's power to enter into contracts includes but is
24 not limited to the power to enter into contracts with
25 municipalities within which the university or any branch
26 thereof is located, in whole or in part, for such municipality

1 to provide fire protection or other essential municipal
2 services upon properties leased to for-profit entities the
3 title to which properties is held by the Board.

4 (Source: P.A. 84-780.)

5 Section 25. The Chicago State University Law is amended by
6 changing Section 5-40 as follows:

7 (110 ILCS 660/5-40)

8 Sec. 5-40. Contracts, conveyances, expenditures. The Board
9 shall have power to enter into contracts and to sue and be
10 sued, provided that any suit against the Board based upon a
11 claim sounding in tort must be filed in the Court of Claims; to
12 acquire by purchase, eminent domain or otherwise, and to hold
13 and convey title to real property as it shall deem appropriate
14 without compliance with the State Property Control Act and
15 personal property in accordance with the State Property Control
16 Act; and to expend the funds appropriated to or lawfully
17 belonging to the Chicago State University, provided that the
18 Board in the exercise of the powers conferred by this Article
19 shall not create any liability or indebtedness of funds from
20 the State Treasury in excess of the funds appropriated to
21 Chicago State University.

22 All real property acquired by the Board shall be held for
23 the People of the State of Illinois, for the use of Chicago
24 State University.

1 Any lease to the Board of lands, buildings or facilities
2 which will support scientific research and development in such
3 areas as high technology, super computing, microelectronics,
4 biotechnology, robotics, physics and engineering shall be for a
5 term not to exceed 18 years, and may grant to the Board the
6 option to purchase the lands, buildings or facilities. The
7 lease shall recite that it is subject to termination and
8 cancellation in any year for which the General Assembly fails
9 to make an appropriation to pay the rent payable under the
10 terms of the lease.

11 Leases for the purposes described herein exceeding 5 years
12 shall have the approval of the Illinois Board of Higher
13 Education.

14 The Board's power to enter into contracts includes but is
15 not limited to the power to enter into contracts with
16 municipalities within which the University or any branch
17 thereof is located, in whole or in part, for such municipality
18 to provide fire protection or other essential municipal
19 services upon properties leased to for-profit entities the
20 title to which properties is held by the Board. The Board shall
21 pay to the municipality concerned such equitable portion of the
22 cost of providing such fire protection or other essential
23 municipal service as shall be agreed to by the Board, and as
24 part of the compensation for such fire protection the Board may
25 provide land and buildings, or either, for fire stations to be
26 used by the municipality.

1 (Source: P.A. 89-4, eff. 1-1-96.)

2 Section 30. The Eastern Illinois University Law is amended
3 by changing Section 10-40 as follows:

4 (110 ILCS 665/10-40)

5 Sec. 10-40. Contracts, conveyances, expenditures. The
6 Board shall have power to enter into contracts and to sue and
7 be sued, provided that any suit against the Board based upon a
8 claim sounding in tort must be filed in the Court of Claims; to
9 acquire by purchase, eminent domain or otherwise, and to hold
10 and convey title to real property as it shall deem appropriate
11 without compliance with the State Property Control Act and
12 personal property in accordance with the State Property Control
13 Act, except as otherwise provided in subsection (c) of Section
14 10-45 of this Law; and to expend the funds appropriated to or
15 lawfully belonging to the Eastern Illinois University,
16 provided that the Board in the exercise of the powers conferred
17 by this Article shall not create any liability or indebtedness
18 of funds from the State Treasury in excess of the funds
19 appropriated to Eastern Illinois University.

20 All real property acquired by the Board shall be held for
21 the People of the State of Illinois, for the use of Eastern
22 Illinois University.

23 Any lease to the Board of lands, buildings or facilities
24 which will support scientific research and development in such

1 areas as high technology, super computing, microelectronics,
2 biotechnology, robotics, physics and engineering shall be for a
3 term not to exceed 18 years, and may grant to the Board the
4 option to purchase the lands, buildings or facilities. The
5 lease shall recite that it is subject to termination and
6 cancellation in any year for which the General Assembly fails
7 to make an appropriation to pay the rent payable under the
8 terms of the lease.

9 Leases for the purposes described herein exceeding 5 years
10 shall have the approval of the Illinois Board of Higher
11 Education.

12 The Board's power to enter into contracts includes but is
13 not limited to the power to enter into contracts with
14 municipalities within which the University or any branch
15 thereof is located, in whole or in part, for such municipality
16 to provide fire protection or other essential municipal
17 services upon properties leased to for-profit entities the
18 title to which properties is held by the Board. The Board shall
19 pay to the municipality concerned such equitable portion of the
20 cost of providing such fire protection or other essential
21 municipal service as shall be agreed to by the Board, and as
22 part of the compensation for such fire protection the Board may
23 provide land and buildings, or either, for fire stations to be
24 used by the municipality.

25 (Source: P.A. 91-251, eff. 7-22-99.)

1 Section 35. The Governors State University Law is amended
2 by changing Section 15-40 as follows:

3 (110 ILCS 670/15-40)

4 Sec. 15-40. Contracts, conveyances, expenditures. The
5 Board shall have power to enter into contracts and to sue and
6 be sued, provided that any suit against the Board based upon a
7 claim sounding in tort must be filed in the Court of Claims; to
8 acquire by purchase, eminent domain or otherwise, and to hold
9 and convey title to real property as it shall deem appropriate
10 without compliance with the State Property Control Act and
11 personal property in accordance with the State Property Control
12 Act; and to expend the funds appropriated to or lawfully
13 belonging to the Governors State University, provided that the
14 Board in the exercise of the powers conferred by this Article
15 shall not create any liability or indebtedness of funds from
16 the State Treasury in excess of the funds appropriated to
17 Governors State University.

18 All real property acquired by the Board shall be held for
19 the People of the State of Illinois, for the use of Governors
20 State University.

21 Any lease to the Board of lands, buildings or facilities
22 which will support scientific research and development in such
23 areas as high technology, super computing, microelectronics,
24 biotechnology, robotics, physics and engineering shall be for a
25 term not to exceed 18 years, and may grant to the Board the

1 option to purchase the lands, buildings or facilities. The
2 lease shall recite that it is subject to termination and
3 cancellation in any year for which the General Assembly fails
4 to make an appropriation to pay the rent payable under the
5 terms of the lease.

6 Leases for the purposes described herein exceeding 5 years
7 shall have the approval of the Illinois Board of Higher
8 Education.

9 The Board's power to enter into contracts includes but is
10 not limited to the power to enter into contracts with
11 municipalities within which the University or any branch
12 thereof is located, in whole or in part, for such municipality
13 to provide fire protection or other essential municipal
14 services upon properties leased to for-profit entities the
15 title to which properties is held by the Board. The Board shall
16 pay to the municipality concerned such equitable portion of the
17 cost of providing such fire protection or other essential
18 municipal service as shall be agreed to by the Board, and as
19 part of the compensation for such fire protection the Board may
20 provide land and buildings, or either, for fire stations to be
21 used by the municipality.

22 (Source: P.A. 89-4, eff. 1-1-96.)

23 Section 40. The Illinois State University Law is amended by
24 changing Section 20-40 as follows:

1 (110 ILCS 675/20-40)

2 Sec. 20-40. Contracts, conveyances, expenditures. The
3 Board shall have power to enter into contracts and to sue and
4 be sued, provided that any suit against the Board based upon a
5 claim sounding in tort must be filed in the Court of Claims; to
6 acquire by purchase, eminent domain or otherwise, and to hold
7 and convey title to real property as it shall deem appropriate
8 without compliance with the State Property Control Act and
9 personal property in accordance with the State Property Control
10 Act, except as otherwise provided in paragraph (13) of Section
11 20-45; and to expend the funds appropriated to or lawfully
12 belonging to the Illinois State University, provided that the
13 Board in the exercise of the powers conferred by this Article
14 shall not create any liability or indebtedness of funds from
15 the State Treasury in excess of the funds appropriated to
16 Illinois State University.

17 All real property acquired by the Board shall be held for
18 the People of the State of Illinois, for the use of Illinois
19 State University.

20 Any lease to the Board of lands, buildings or facilities
21 which will support scientific research and development in such
22 areas as high technology, super computing, microelectronics,
23 biotechnology, robotics, physics and engineering shall be for a
24 term not to exceed 18 years, and may grant to the Board the
25 option to purchase the lands, buildings or facilities. The
26 lease shall recite that it is subject to termination and

1 cancellation in any year for which the General Assembly fails
2 to make an appropriation to pay the rent payable under the
3 terms of the lease.

4 Leases for the purposes described herein exceeding 5 years
5 shall have the approval of the Illinois Board of Higher
6 Education.

7 The Board's power to enter into contracts includes but is
8 not limited to the power to enter into contracts with
9 municipalities within which the University or any branch
10 thereof is located, in whole or in part, for such municipality
11 to provide fire protection or other essential municipal
12 services upon properties leased to for-profit entities the
13 title to which properties is held by the Board. The Board shall
14 pay to the municipality concerned such equitable portion of the
15 cost of providing such fire protection or other essential
16 municipal service as shall be agreed to by the Board, and as
17 part of the compensation for such fire protection the Board may
18 provide land and buildings, or either, for fire stations to be
19 used by the municipality.

20 (Source: P.A. 91-396, eff. 7-30-99.)

21 Section 45. The Northeastern Illinois University Law is
22 amended by changing Section 25-40 as follows:

23 (110 ILCS 680/25-40)

24 Sec. 25-40. Contracts, conveyances, expenditures. The

1 Board shall have power to enter into contracts and to sue and
2 be sued, provided that any suit against the Board based upon a
3 claim sounding in tort must be filed in the Court of Claims; to
4 acquire by purchase, eminent domain or otherwise, and to hold
5 and convey title to real property as it shall deem appropriate
6 without compliance with the State Property Control Act and
7 personal property in accordance with the State Property Control
8 Act; and to expend the funds appropriated to or lawfully
9 belonging to the Northeastern Illinois University, provided
10 that the Board in the exercise of the powers conferred by this
11 Article shall not create any liability or indebtedness of funds
12 from the State Treasury in excess of the funds appropriated to
13 Northeastern Illinois University.

14 All real property acquired by the Board shall be held for
15 the People of the State of Illinois, for the use of
16 Northeastern Illinois University.

17 Any lease to the Board of lands, buildings or facilities
18 which will support scientific research and development in such
19 areas as high technology, super computing, microelectronics,
20 biotechnology, robotics, physics and engineering shall be for a
21 term not to exceed 18 years, and may grant to the Board the
22 option to purchase the lands, buildings or facilities. The
23 lease shall recite that it is subject to termination and
24 cancellation in any year for which the General Assembly fails
25 to make an appropriation to pay the rent payable under the
26 terms of the lease.

1 Leases for the purposes described herein exceeding 5 years
2 shall have the approval of the Illinois Board of Higher
3 Education.

4 The Board's power to enter into contracts includes but is
5 not limited to the power to enter into contracts with
6 municipalities within which the University or any branch
7 thereof is located, in whole or in part, for such municipality
8 to provide fire protection or other essential municipal
9 services upon properties leased to for-profit entities the
10 title to which properties is held by the Board. The Board shall
11 pay to the municipality concerned such equitable portion of the
12 cost of providing such fire protection or other essential
13 municipal service as shall be agreed to by the Board, and as
14 part of the compensation for such fire protection the Board may
15 provide land and buildings, or either, for fire stations to be
16 used by the municipality.

17 (Source: P.A. 89-4, eff. 1-1-96.)

18 Section 50. The Northern Illinois University Law is amended
19 by changing Section 30-40 as follows:

20 (110 ILCS 685/30-40)

21 Sec. 30-40. Contracts, conveyances, expenditures. The
22 Board shall have power to enter into contracts and to sue and
23 be sued, provided that any suit against the Board based upon a
24 claim sounding in tort must be filed in the Court of Claims; to

1 acquire by purchase, eminent domain or otherwise, and to hold
2 and convey title to real property as it shall deem appropriate
3 without compliance with the State Property Control Act and
4 personal property in accordance with the State Property Control
5 Act; and to expend the funds appropriated to or lawfully
6 belonging to Northern Illinois University, provided that the
7 Board in the exercise of the powers conferred by this Article
8 shall not create any liability or indebtedness of funds from
9 the State Treasury in excess of the funds appropriated to
10 Northern Illinois University.

11 All real property acquired by the Board shall be held for
12 the People of the State of Illinois, for the use of Northern
13 Illinois University.

14 Any lease to the Board of lands, buildings or facilities
15 which will support scientific research and development in such
16 areas as high technology, super computing, microelectronics,
17 biotechnology, robotics, physics and engineering shall be for a
18 term not to exceed 18 years, and may grant to the Board the
19 option to purchase the lands, buildings or facilities. The
20 lease shall recite that it is subject to termination and
21 cancellation in any year for which the General Assembly fails
22 to make an appropriation to pay the rent payable under the
23 terms of the lease.

24 Leases for the purposes described herein exceeding 5 years
25 shall have the approval of the Illinois Board of Higher
26 Education.

1 The Board's power to enter into contracts includes but is
2 not limited to the power to enter into contracts with
3 municipalities within which the University or any branch
4 thereof is located, in whole or in part, for such municipality
5 to provide fire protection or other essential municipal
6 services upon properties leased to for-profit entities the
7 title to which properties is held by the Board. The Board shall
8 pay to the municipality concerned such equitable portion of the
9 cost of providing such fire protection or other essential
10 municipal service as shall be agreed to by the Board, and as
11 part of the compensation for such fire protection the Board may
12 provide land and buildings, or either, for fire stations to be
13 used by the municipality.

14 (Source: P.A. 89-4, eff. 1-1-96.)

15 Section 55. The Western Illinois University Law is amended
16 by changing Section 35-40 as follows:

17 (110 ILCS 690/35-40)

18 Sec. 35-40. Contracts, conveyances, expenditures. The
19 Board shall have power to enter into contracts and to sue and
20 be sued, provided that any suit against the Board based upon a
21 claim sounding in tort must be filed in the Court of Claims; to
22 acquire by purchase, eminent domain or otherwise, and to hold
23 and convey title to real property as it shall deem appropriate
24 without compliance with the State Property Control Act and

1 personal property in accordance with the State Property Control
2 Act; and to expend the funds appropriated to or lawfully
3 belonging to the Western Illinois University, provided that the
4 Board in the exercise of the powers conferred by this Article
5 shall not create any liability or indebtedness of funds from
6 the State Treasury in excess of the funds appropriated to
7 Western Illinois University.

8 All real property acquired by the Board shall be held for
9 the People of the State of Illinois, for the use of Western
10 Illinois University.

11 Any lease to the Board of lands, buildings or facilities
12 which will support scientific research and development in such
13 areas as high technology, super computing, microelectronics,
14 biotechnology, robotics, physics and engineering shall be for a
15 term not to exceed 18 years, and may grant to the Board the
16 option to purchase the lands, buildings or facilities. The
17 lease shall recite that it is subject to termination and
18 cancellation in any year for which the General Assembly fails
19 to make an appropriation to pay the rent payable under the
20 terms of the 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's power to enter into contracts includes but is
25 not limited to the power to enter into contracts with
26 municipalities within which the University or any branch

1 thereof is located, in whole or in part, for such municipality
2 to provide fire protection or other essential municipal
3 services upon properties leased to for-profit entities the
4 title to which properties is held by the Board. The Board shall
5 pay to the municipality concerned such equitable portion of the
6 cost of providing such fire protection or other essential
7 municipal service as shall be agreed to by the Board, and as
8 part of the compensation for such fire protection the Board may
9 provide land and buildings, or either, for fire stations to be
10 used by the municipality.

11 (Source: P.A. 89-4, eff. 1-1-96.)

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