



Sen. John J. Cullerton

Filed: 2/16/2010

09600SB0416sam001

LRB096 06451 RCE 36543 a

1 AMENDMENT TO SENATE BILL 416

2 AMENDMENT NO. _____. Amend Senate Bill 416 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The General Obligation Bond Act is amended by
5 changing Section 2 and by adding Section 7.3 as follows:

6 (30 ILCS 330/2) (from Ch. 127, par. 652)

7 Sec. 2. Authorization for Bonds. The State of Illinois is
8 authorized to issue, sell and provide for the retirement of
9 General Obligation Bonds of the State of Illinois for the
10 categories and specific purposes expressed in Sections 2
11 through 8 of this Act, in the total amount of \$37,217,777,443
12 ~~\$33,501,777,443~~ ~~\$34,159,149,369~~.

13 The bonds authorized in this Section 2 and in Section 16 of
14 this Act are herein called "Bonds".

15 Of the total amount of Bonds authorized in this Act, up to
16 \$2,200,000,000 in aggregate original principal amount may be

1 issued and sold in accordance with the Baccalaureate Savings
2 Act in the form of General Obligation College Savings Bonds.

3 Of the total amount of Bonds authorized in this Act, up to
4 \$300,000,000 in aggregate original principal amount may be
5 issued and sold in accordance with the Retirement Savings Act
6 in the form of General Obligation Retirement Savings Bonds.

7 Of the total amount of Bonds authorized in this Act, the
8 additional \$10,000,000,000 authorized by Public Act 93-2 and
9 the \$3,466,000,000 authorized by Public Act 96-43 ~~this~~
10 ~~amendatory Act of the 96th General Assembly~~ shall be used
11 solely as provided in Section 7.2.

12 The issuance and sale of Bonds pursuant to the General
13 Obligation Bond Act is an economical and efficient method of
14 financing the long-term capital needs of the State. This Act
15 will permit the issuance of a multi-purpose General Obligation
16 Bond with uniform terms and features. This will not only lower
17 the cost of registration but also reduce the overall cost of
18 issuing debt by improving the marketability of Illinois General
19 Obligation Bonds.

20 (Source: P.A. 95-1026, eff. 1-12-09; 96-5, eff. 4-3-09; 96-36,
21 eff. 7-13-09; 96-43, eff. 7-15-09; revised 8-20-09.)

22 (30 ILCS 330/7.3 new)

23 Sec. 7.3. Medicaid enhancement funding. The amount of
24 \$250,000,000 is authorized to be issued only during fiscal year
25 2010 for the making of deposits into the Healthcare Provider

1 Relief Fund for the exclusive purpose of funding Medicaid
2 services subject to the enhanced federal participation due to
3 expire on December 31, 2010. Notwithstanding this Act or any
4 other law to the contrary, bonds issued under this Section must
5 be payable within one year after their date of issuance.

6 Section 10. The Southern Illinois University Management
7 Act is amended by changing Section 8 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

24 10. To appoint, subject to the applicable civil service
25 law, persons to be members of the Southern Illinois
26 University Police Department. Members of the Police

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

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

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

1 the Board or its appointed designee to carry out such
2 activities in the course of or in support of the Board's
3 academic, clinical, and public service responsibilities.

4 11. To administer a plan or plans established by the
5 clinical faculty of the School of Medicine for the billing,
6 collection and disbursement of charges for services
7 performed in the course of or in support of the faculty's
8 academic responsibilities, provided that such plan has
9 been first approved by Board action. All such collections
10 shall be deposited into a special fund or funds
11 administered by the Board from which disbursements may be
12 made according to the provisions of said plan. The
13 reasonable costs incurred, by the University,
14 administering the billing, collection and disbursement
15 provisions of a plan shall have first priority for payment
16 before distribution or disbursement for any other purpose.
17 Audited financial statements of the plan or plans must be
18 provided to the Legislative Audit Commission 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; provided
10 that the money shall be repaid within 18 months after the
11 time the money is borrowed and the amount borrowed shall
12 not exceed 75% of the total amount of payroll and other
13 expense vouchers submitted, but unpaid at the
14 Comptroller's Office, 30 days prior to the anticipated
15 borrowing. The borrowed moneys shall be applied only for
16 the purposes of paying salaries and other expenses lawfully
17 authorized in the university's State appropriation. No
18 borrowing under this provision shall be allowed after
19 August 31, 2010. The borrowed moneys shall be applied to
20 the purposes for which the anticipated moneys are lawfully
21 available. The Chairman or Treasurer of the Board shall
22 execute a promissory note or similar debt instrument to
23 evidence the indebtedness incurred by the borrowing. In
24 connection with a borrowing, the Board may establish a line
25 of credit with a financial institution.

26 The obligation to make the payments due under the

1 promissory note or other debt instrument shall be a lawful
2 obligation of the University payable from the anticipated
3 moneys as set forth in the resolution authorizing the same.
4 Any borrowing under this item 13 shall not constitute a
5 debt, legal or moral, of the State and shall not be
6 enforceable against the State. The promissory note or other
7 debt instrument shall be authorized by a resolution passed
8 by the Board and shall be valid whether or not a budgeted
9 item with respect to that resolution is included in any
10 annual or supplemental budget adopted by the Board. The
11 resolution shall set forth facts demonstrating the need for
12 the borrowing, state an amount that the amount to be
13 borrowed will not exceed, establish a maximum interest rate
14 limit not to exceed the maximum rate authorized by the Bond
15 Authorization Act, and provide a date by which the borrowed
16 funds shall be repaid. The resolution may direct the
17 Treasurer of the Board to make arrangements to set apart
18 and hold the portion of the anticipated moneys, as
19 received, that shall be used to repay the borrowing,
20 subject to any prior pledges or restrictions with respect
21 to the anticipated moneys. The resolution may also
22 authorize the Treasurer of the Board to make partial
23 repayments of the borrowing as the anticipated moneys
24 become available and may contain any other terms,
25 restrictions, or limitations not inconsistent with the
26 powers of the Board.

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

8 The powers of the Board as herein designated are subject to
9 the Board of Higher Education Act.

10 (Source: P.A. 95-158, eff. 8-14-07; 95-876, eff. 8-21-08.)

11 Section 15. The Chicago State University Law is amended by
12 changing Section 5-45 as follows:

13 (110 ILCS 660/5-45)

14 Sec. 5-45. Powers and duties. The Board also shall have
15 power and it shall be its duty:

16 (1) To make rules, regulations and bylaws, not inconsistent
17 with law, for the government and management of Chicago State
18 University and its branches;

19 (2) To employ, and, for good cause, to remove a President
20 of Chicago State University, and all necessary deans,
21 professors, associate professors, assistant professors,
22 instructors, other educational and administrative assistants,
23 and all other necessary employees, and to prescribe their
24 duties and contract with them upon matters relating to tenure,

1 salaries and retirement benefits in accordance with the State
2 Universities Civil Service Act. Whenever the Board establishes
3 a search committee to fill the position of President of Chicago
4 State University, there shall be minority representation,
5 including women, on that search committee. The Board shall,
6 upon the written request of an employee of Chicago State
7 University, withhold from the compensation of that employee any
8 dues, payments or contributions payable by such employee to any
9 labor organization as defined in the Illinois Educational Labor
10 Relations Act. Under such arrangement, an amount shall be
11 withheld from each regular payroll period which is equal to the
12 pro rata share of the annual dues plus any payments or
13 contributions, and the Board shall transmit such withholdings
14 to the specified labor organization within 10 working days from
15 the time of the withholding;

16 (3) To prescribe the courses of study to be followed, and
17 textbooks and apparatus to be used at Chicago State University;

18 (4) To issue upon the recommendation of the faculty,
19 diplomas to such persons as have satisfactorily completed the
20 required studies of Chicago State University, and confer such
21 professional and literary degrees as are usually conferred by
22 other institutions of like character for similar or equivalent
23 courses of study, or such as the Board may deem appropriate;

24 (5) To examine into the conditions, management, and
25 administration of Chicago State University, to provide the
26 requisite buildings, apparatus, equipment and auxiliary

1 enterprises, and to fix and collect matriculation fees; tuition
2 fees; fees for student activities; fees for student facilities
3 such as student union buildings or field houses or stadia or
4 other recreational facilities; student welfare fees;
5 laboratory fees; and similar fees for supplies and materials.
6 The expense of the building, improving, repairing and supplying
7 fuel and furniture and the necessary appliances and apparatus
8 for conducting Chicago State University, the reimbursed
9 expenses of members of the Board, and the salaries or
10 compensation of the President, assistants, agents and other
11 employees of Chicago State University, shall be a charge upon
12 the State Treasury. All other expenses shall be chargeable
13 against students, and the Board shall regulate the charges
14 accordingly;

15 (6) To succeed to and to administer all trusts, trust
16 property, and gifts now or hereafter belonging or pertaining to
17 Chicago State University;

18 (7) To accept endowments of professorships or departments
19 in Chicago State University from any person who may proffer
20 them and, at regular meetings, to prescribe rules and
21 regulations in relation to endowments and declare on what
22 general principles they may be accepted;

23 (8) To enter into contracts with the Federal government for
24 providing courses of instruction and other services at Chicago
25 State University for persons serving in or with the military or
26 naval forces of the United States, and to provide such courses

1 of instruction and other services;

2 (9) To contract with respect to the Cooperative Computer
3 Center to obtain services related to electronic data
4 processing;

5 (10) To provide for the receipt and expenditures of Federal
6 funds paid to Chicago State University by the Federal
7 government for instruction and other services for persons
8 serving in or with the military or naval forces of the United
9 States, and to provide for audits of such funds;

10 (11) To appoint, subject to the applicable civil service
11 law, persons to be members of the Chicago State University
12 Police Department. Members of the Police Department shall be
13 conservators of the peace and as such have all powers possessed
14 by policemen in cities, and sheriffs, including the power to
15 make arrests on view or warrants of violations of State
16 statutes, University rules and regulations and city or county
17 ordinances, except that they may exercise such powers only
18 within counties wherein Chicago State University and any of its
19 branches or properties are located when such is required for
20 the protection of University properties and interests, and its
21 students and personnel, and otherwise, within such counties,
22 when requested by appropriate State or local law enforcement
23 officials. However, such officers shall have no power to serve
24 and execute civil processes.

25 The Board must authorize to each member of the Chicago
26 State University Police Department and to any other employee of

1 Chicago State University exercising the powers of a peace
2 officer a distinct badge that, on its face, (i) clearly states
3 that the badge is authorized by Chicago State University and
4 (ii) contains a unique identifying number on its face. No other
5 badge shall be authorized by Chicago State University;

6 (12) The Board may, directly or in cooperation with other
7 institutions of higher education, acquire by purchase or lease
8 or otherwise, and construct, enlarge, improve, equip,
9 complete, operate, control and manage research and high
10 technology parks, together with the necessary lands,
11 buildings, facilities, equipment, and personal property
12 therefor, to encourage and facilitate (i) the location and
13 development of business and industry in the State of Illinois,
14 and (ii) the increased application and development of
15 technology, and (iii) the improvement and development of the
16 State's economy. The Board may lease to nonprofit corporations
17 all or any part of the land, buildings, facilities, equipment
18 or other property included in a research and high technology
19 park upon such terms and conditions as the Board may deem
20 advisable and enter into any contract or agreement with such
21 nonprofit corporations as may be necessary or suitable for the
22 construction, financing, operation and maintenance and
23 management of any such park; and may lease to any person, firm,
24 partnership or corporation, either public or private, any part
25 or all of the land, building, facilities, equipment or other
26 property of such park for such purposes and upon such rentals,

1 terms and conditions as the Board may deem advisable; and may
2 finance all or part of the cost of any such park, including the
3 purchase, lease, construction, reconstruction, improvement,
4 remodeling, addition to, and extension and maintenance of all
5 or part of such high technology park, and all equipment and
6 furnishings, by legislative appropriations, government grants,
7 contracts, private gifts, loans, receipts from the operation of
8 such high technology park, rentals and similar receipts; and
9 may make its other facilities and services available to tenants
10 or other occupants of any such park at rates which are
11 reasonable and appropriate.

12 (13) To borrow money, as necessary, from time to time in
13 anticipation of receiving tuition, payments from the State of
14 Illinois, or other revenues or receipts of the University, also
15 known as anticipated moneys; provided that the money shall be
16 repaid within 18 months after the time the money is borrowed
17 and the amount borrowed shall not exceed 75% of the total
18 amount of payroll and other expense vouchers submitted, but
19 unpaid at the Comptroller's Office, 30 days prior to the
20 anticipated borrowing. The borrowed moneys shall be applied
21 only for the purposes of paying salaries and other expenses
22 lawfully authorized in the university's State appropriation.
23 No borrowing under this provision shall be allowed after August
24 31, 2010. The borrowed moneys shall be applied to the purposes
25 for which the anticipated moneys are lawfully available. The
26 Chairman or Treasurer of the Board shall execute a promissory

1 note or similar debt instrument to evidence the indebtedness
2 incurred by the borrowing. In connection with a borrowing, the
3 Board may establish a line of credit with a financial
4 institution.

5 The obligation to make the payments due under the
6 promissory note or other debt instrument shall be a lawful
7 obligation of the University payable from the anticipated
8 moneys as set forth in the resolution authorizing the same. Any
9 borrowing under this item (13) shall not constitute a debt,
10 legal or moral, of the State and shall not be enforceable
11 against the State. The promissory note or other debt instrument
12 shall be authorized by a resolution passed by the Board and
13 shall be valid whether or not a budgeted item with respect to
14 that resolution is included in any annual or supplemental
15 budget adopted by the Board. The resolution shall set forth
16 facts demonstrating the need for the borrowing, state an amount
17 that the amount to be borrowed will not exceed, establish a
18 maximum interest rate limit not to exceed the maximum rate
19 authorized by the Bond Authorization Act, and provide a date by
20 which the borrowed funds shall be repaid. The resolution may
21 direct the Treasurer of the Board to make arrangements to set
22 apart and hold the portion of the anticipated moneys, as
23 received, that shall be used to repay the borrowing, subject to
24 any prior pledges or restrictions with respect to the
25 anticipated moneys. The resolution may also authorize the
26 Treasurer of the Board to make partial repayments of the

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

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

10 (Source: P.A. 91-883, eff. 1-1-01.)

11 Section 20. The Eastern Illinois University Law is amended
12 by changing Section 10-45 as follows:

13 (110 ILCS 665/10-45)

14 Sec. 10-45. Powers and duties.

15 (a) The Board also shall have power and it shall be its
16 duty:

17 (1) To make rules, regulations and bylaws, not
18 inconsistent with law, for the government and management of
19 Eastern Illinois University and its branches.

20 (2) To employ, and, for good cause, to remove a
21 President of Eastern Illinois University, and all
22 necessary deans, professors, associate professors,
23 assistant professors, instructors, other educational and
24 administrative assistants, and all other necessary

1 employees, and to prescribe their duties and contract with
2 them upon matters relating to tenure, salaries and
3 retirement benefits in accordance with the State
4 Universities Civil Service Act. Whenever the Board
5 establishes a search committee to fill the position of
6 President of Eastern Illinois University, there shall be
7 minority representation, including women, on that search
8 committee. The Board shall, upon the written request of an
9 employee of Eastern Illinois University, withhold from the
10 compensation of that employee any dues, payments or
11 contributions payable by such employee to any labor
12 organization as defined in the Illinois Educational Labor
13 Relations Act. Under such arrangement, an amount shall be
14 withheld from each regular payroll period which is equal to
15 the pro rata share of the annual dues plus any payments or
16 contributions, and the Board shall transmit such
17 withholdings to the specified labor organization within 10
18 working days from the time of the withholding.

19 (3) To prescribe the courses of study to be followed,
20 and textbooks and apparatus to be used at Eastern Illinois
21 University.

22 (4) To issue upon the recommendation of the faculty,
23 diplomas to such persons as have satisfactorily completed
24 the required studies of Eastern Illinois University, and
25 confer such professional and literary degrees as are
26 usually conferred by other institutions of like character

1 for similar or equivalent courses of study, or such as the
2 Board may deem appropriate.

3 (5) To examine into the conditions, management, and
4 administration of Eastern Illinois University, to provide
5 the requisite buildings, apparatus, equipment and
6 auxiliary enterprises, and to fix and collect
7 matriculation fees; tuition fees; fees for student
8 activities; fees for student facilities such as student
9 union buildings or field houses or stadia or other
10 recreational facilities; student welfare fees; laboratory
11 fees; and similar fees for supplies and materials. The
12 expense of the building, improving, repairing and
13 supplying fuel and furniture and the necessary appliances
14 and apparatus for conducting Eastern Illinois University,
15 the reimbursed expenses of members of the Board, and the
16 salaries or compensation of the President, assistants,
17 agents and other employees of Eastern Illinois University,
18 shall be a charge upon the State Treasury. All other
19 expenses shall be chargeable against students, and the
20 Board shall regulate the charges accordingly.

21 (6) To succeed to and to administer all trusts, trust
22 property, and gifts now or hereafter belonging or
23 pertaining to Eastern Illinois University.

24 (7) To accept endowments of professorships or
25 departments in Eastern Illinois University from any person
26 who may proffer them and, at regular meetings, to prescribe

1 rules and regulations in relation to endowments and declare
2 on what general principles they may be accepted.

3 (8) To enter into contracts with the Federal government
4 for providing courses of instruction and other services at
5 Eastern Illinois University for persons serving in or with
6 the military or naval forces of the United States, and to
7 provide such courses of instruction and other services.

8 (9) To contract with respect to the Cooperative
9 Computer Center to obtain services related to electronic
10 data processing.

11 (10) To provide for the receipt and expenditures of
12 Federal funds paid to Eastern Illinois University by the
13 Federal government for instruction and other services for
14 persons serving in or with the military or naval forces of
15 the United States, and to provide for audits of such funds.

16 (11) To appoint, subject to the applicable civil
17 service law, persons to be members of the Eastern Illinois
18 University Police Department. Members of the Police
19 Department shall be conservators of the peace and as such
20 have all powers possessed by policemen in cities, and
21 sheriffs, including the power to make arrests on view or
22 warrants of violations of State statutes, University rules
23 and regulations and city or county ordinances, except that
24 they may exercise such powers only within counties wherein
25 Eastern Illinois University and any of its branches or
26 properties are located when such is required for the

1 protection of University properties and interests, and its
2 students and personnel, and otherwise, within such
3 counties, when requested by appropriate State or local law
4 enforcement officials. However, such officers shall have
5 no power to serve and execute civil processes.

6 The Board must authorize to each member of the Eastern
7 Illinois University Police Department and to any other
8 employee of Eastern Illinois University exercising the
9 powers of a peace officer a distinct badge that, on its
10 face, (i) clearly states that the badge is authorized by
11 Eastern Illinois University and (ii) contains a unique
12 identifying number. No other badge shall be authorized by
13 Eastern Illinois University.

14 (12) To borrow money, as necessary, from time to time
15 in anticipation of receiving tuition, payments from the
16 State of Illinois, or other revenues or receipts of the
17 University, also known as anticipated moneys; provided
18 that the money shall be repaid within 18 months after the
19 time the money is borrowed and the amount borrowed shall
20 not exceed 75% of the total amount of payroll and other
21 expense vouchers submitted, but unpaid at the
22 Comptroller's Office, 30 days prior to the anticipated
23 borrowing. The borrowed moneys shall be applied only for
24 the purposes of paying salaries and other expenses lawfully
25 authorized in the university's State appropriation. No
26 borrowing under this provision shall be allowed after

1 August 31, 2010. The borrowed moneys shall be applied to
2 the purposes for which the anticipated moneys are lawfully
3 available. The Chairman or Treasurer of the Board shall
4 execute a promissory note or similar debt instrument to
5 evidence the indebtedness incurred by the borrowing. In
6 connection with a borrowing, the Board may establish a line
7 of credit with a financial institution.

8 The obligation to make the payments due under the
9 promissory note or other debt instrument shall be a lawful
10 obligation of the University payable from the anticipated
11 moneys as set forth in the resolution authorizing the same.
12 Any borrowing under this item (12) shall not constitute a
13 debt, legal or moral, of the State and shall not be
14 enforceable against the State. The promissory note or other
15 debt instrument shall be authorized by a resolution passed
16 by the Board and shall be valid whether or not a budgeted
17 item with respect to that resolution is included in any
18 annual or supplemental budget adopted by the Board. The
19 resolution shall set forth facts demonstrating the need for
20 the borrowing, state an amount that the amount to be
21 borrowed will not exceed, establish a maximum interest rate
22 limit not to exceed the maximum rate authorized by the Bond
23 Authorization Act, and provide a date by which the borrowed
24 funds shall be repaid. The resolution may direct the
25 Treasurer of the Board to make arrangements to set apart
26 and hold the portion of the anticipated moneys, as

1 received, that shall be used to repay the borrowing,
2 subject to any prior pledges or restrictions with respect
3 to the anticipated moneys. The resolution may also
4 authorize the Treasurer of the Board to make partial
5 repayments of the borrowing as the anticipated moneys
6 become available and may contain any other terms,
7 restrictions, or limitations not inconsistent with the
8 powers of the Board.

9 For the purposes of this item (12), "financial
10 institution" means any bank subject to the Illinois Banking
11 Act, any savings and loan association subject to the
12 Illinois Savings and Loan Act of 1985, and any federally
13 chartered commercial bank or savings and loan association
14 organized and operated in this State pursuant to the laws
15 of the United States.

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

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

22 (c) The Board may sell the following described property
23 without compliance with the State Property Control Act and
24 retain the proceeds in the University treasury in a special,
25 separate development fund account that the Auditor General
26 shall examine to assure compliance with this Law:

1 Lots 511 and 512 in Heritage Woods V, Charleston, Coles
2 County, Illinois.

3 Revenues from the development fund account may be withdrawn by
4 the University for the purpose of upgrading the on-campus
5 formal reception facility. Moneys from the development fund
6 account used for any other purpose must be deposited into and
7 appropriated from the General Revenue Fund.

8 (Source: P.A. 91-251, eff. 7-22-99; 91-883, eff. 1-1-01.)

9 Section 25. The Governors State University Law is amended
10 by changing Section 15-45 as follows:

11 (110 ILCS 670/15-45)

12 Sec. 15-45. Powers and duties. The Board also shall have
13 power and it shall be its duty:

14 (1) To make rules, regulations and bylaws, not inconsistent
15 with law, for the government and management of Governors State
16 University and its branches;

17 (2) To employ, and, for good cause, to remove a President
18 of Governors State University, and all necessary deans,
19 professors, associate professors, assistant professors,
20 instructors, other educational and administrative assistants,
21 and all other necessary employees, and to prescribe their
22 duties and contract with them upon matters relating to tenure,
23 salaries and retirement benefits in accordance with the State
24 Universities Civil Service Act. Whenever the Board establishes

1 a search committee to fill the position of President of
2 Governors State University, there shall be minority
3 representation, including women, on that search committee. The
4 Board shall, upon the written request of an employee of
5 Governors State University, withhold from the compensation of
6 that employee any dues, payments or contributions payable by
7 such employee to any labor organization as defined in the
8 Illinois Educational Labor Relations Act. Under such
9 arrangement, an amount shall be withheld from each regular
10 payroll period which is equal to the pro rata share of the
11 annual dues plus any payments or contributions, and the Board
12 shall transmit such withholdings to the specified labor
13 organization within 10 working days from the time of the
14 withholding;

15 (3) To prescribe the courses of study to be followed, and
16 textbooks and apparatus to be used at Governors State
17 University;

18 (4) To issue upon the recommendation of the faculty,
19 diplomas to such persons as have satisfactorily completed the
20 required studies of Governors State University, and confer such
21 professional and literary degrees as are usually conferred by
22 other institutions of like character for similar or equivalent
23 courses of study, or such as the Board may deem appropriate;

24 (5) To examine into the conditions, management, and
25 administration of Governors State University, to provide the
26 requisite buildings, apparatus, equipment and auxiliary

1 enterprises, and to fix and collect matriculation fees; tuition
2 fees; fees for student activities; fees for student facilities
3 such as student union buildings or field houses or stadia or
4 other recreational facilities; student welfare fees;
5 laboratory fees; and similar fees for supplies and materials.
6 The expense of the building, improving, repairing and supplying
7 fuel and furniture and the necessary appliances and apparatus
8 for conducting Governors State University, the reimbursed
9 expenses of members of the Board, and the salaries or
10 compensation of the President, assistants, agents and other
11 employees of Governors State University, shall be a charge upon
12 the State Treasury. All other expenses shall be chargeable
13 against students, and the Board shall regulate the charges
14 accordingly;

15 (6) To succeed to and to administer all trusts, trust
16 property, and gifts now or hereafter belonging or pertaining to
17 Governors State University;

18 (7) To accept endowments of professorships or departments
19 in Governors State University from any person who may proffer
20 them and, at regular meetings, to prescribe rules and
21 regulations in relation to endowments and declare on what
22 general principles they may be accepted;

23 (8) To enter into contracts with the Federal government for
24 providing courses of instruction and other services at
25 Governors State University for persons serving in or with the
26 military or naval forces of the United States, and to provide

1 such courses of instruction and other services;

2 (9) To operate, maintain, and contract with respect to the
3 Cooperative Computer Center for its own purposes and to provide
4 services related to electronic data processing to other public
5 and private colleges and universities, to governmental
6 agencies, and to public or private not-for-profit agencies; and
7 to examine the conditions, management, and administration of
8 the Cooperative Computer Center;

9 (10) To provide for the receipt and expenditures of Federal
10 funds paid to Governors State University by the Federal
11 government for instruction and other services for persons
12 serving in or with the military or naval forces of the United
13 States, and to provide for audits of such funds;

14 (11) To appoint, subject to the applicable civil service
15 law, persons to be members of the Governors State University
16 Police Department. Members of the Police Department shall be
17 conservators of the peace and as such have all powers possessed
18 by policemen in cities, and sheriffs, including the power to
19 make arrests on view or warrants of violations of State
20 statutes, University rules and regulations and city or county
21 ordinances, except that they may exercise such powers only
22 within counties wherein Governors State University and any of
23 its branches or properties are located when such is required
24 for the protection of University properties and interests, and
25 its students and personnel, and otherwise, within such
26 counties, when requested by appropriate State or local law

1 enforcement officials. However, such officers shall have no
2 power to serve and execute civil processes.

3 The Board must authorize to each member of the Governors
4 State University Police Department and to any other employee of
5 Governors State University exercising the powers of a peace
6 officer a distinct badge that, on its face, (i) clearly states
7 that the badge is authorized by Governors State University and
8 (ii) contains a unique identifying number. No other badge shall
9 be authorized by Governors State University;

10 (12) The Board may, directly or in cooperation with other
11 institutions of higher education, acquire by purchase or lease
12 or otherwise, and construct, enlarge, improve, equip,
13 complete, operate, control and manage research and high
14 technology parks, together with the necessary lands,
15 buildings, facilities, equipment, and personal property
16 therefor, to encourage and facilitate (i) the location and
17 development of business and industry in the State of Illinois,
18 and (ii) the increased application and development of
19 technology, and (iii) the improvement and development of the
20 State's economy. The Board may lease to nonprofit corporations
21 all or any part of the land, buildings, facilities, equipment
22 or other property included in a research and high technology
23 park upon such terms and conditions as the Board may deem
24 advisable and enter into any contract or agreement with such
25 nonprofit corporations as may be necessary or suitable for the
26 construction, financing, operation and maintenance and

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

16 (13) To borrow money, as necessary, from time to time in
17 anticipation of receiving tuition, payments from the State of
18 Illinois, or other revenues or receipts of the University, also
19 known as anticipated moneys; provided that the money shall be
20 repaid within 18 months after the time the money is borrowed
21 and the amount borrowed shall not exceed 75% of the total
22 amount of payroll and other expense vouchers submitted, but
23 unpaid at the Comptroller's Office, 30 days prior to the
24 anticipated borrowing. The borrowed moneys shall be applied
25 only for the purposes of paying salaries and other expenses
26 lawfully authorized in the university's State appropriation.

1 No borrowing under this provision shall be allowed after August
2 31, 2010. The borrowed moneys shall be applied to the purposes
3 for which the anticipated moneys are lawfully available. The
4 Chairman or Treasurer of the Board shall execute a promissory
5 note or similar debt instrument to evidence the indebtedness
6 incurred by the borrowing. In connection with a borrowing, the
7 Board may establish a line of credit with a financial
8 institution.

9 The obligation to make the payments due under the
10 promissory note or other debt instrument shall be a lawful
11 obligation of the University payable from the anticipated
12 moneys as set forth in the resolution authorizing the same. Any
13 borrowing under this item (13) shall not constitute a debt,
14 legal or moral, of the State and shall not be enforceable
15 against the State. The promissory note or other debt instrument
16 shall be authorized by a resolution passed by the Board and
17 shall be valid whether or not a budgeted item with respect to
18 that resolution is included in any annual or supplemental
19 budget adopted by the Board. The resolution shall set forth
20 facts demonstrating the need for the borrowing, state an amount
21 that the amount to be borrowed will not exceed, establish a
22 maximum interest rate limit not to exceed the maximum rate
23 authorized by the Bond Authorization Act, and provide a date by
24 which the borrowed funds shall be repaid. The resolution may
25 direct the Treasurer of the Board to make arrangements to set
26 apart and hold the portion of the anticipated moneys, as

1 received, that shall be used to repay the borrowing, subject to
2 any prior pledges or restrictions with respect to the
3 anticipated moneys. The resolution may also authorize the
4 Treasurer of the Board to make partial repayments of the
5 borrowing as the anticipated moneys become available and may
6 contain any other terms, restrictions, or limitations not
7 inconsistent with the powers of the Board.

8 For the purposes of this item (13), "financial institution"
9 means any bank subject to the Illinois Banking Act, any savings
10 and loan association subject to the Illinois Savings and Loan
11 Act of 1985, and any federally chartered commercial bank or
12 savings and loan association organized and operated in this
13 State pursuant to the laws of the United States.

14 (Source: P.A. 91-883, eff. 1-1-01.)

15 Section 30. The Illinois State University Law is amended by
16 changing Section 20-45 as follows:

17 (110 ILCS 675/20-45)

18 Sec. 20-45. Powers and duties. The Board also shall have
19 power and it shall be its duty:

20 (1) To make rules, regulations and bylaws, not inconsistent
21 with law, for the government and management of Illinois State
22 University and its branches;

23 (2) To employ, and, for good cause, to remove a President
24 of Illinois State University, and all necessary deans,

1 professors, associate professors, assistant professors,
2 instructors, other educational and administrative assistants,
3 and all other necessary employees, and to prescribe their
4 duties and contract with them upon matters relating to tenure,
5 salaries and retirement benefits in accordance with the State
6 Universities Civil Service Act. Whenever the Board establishes
7 a search committee to fill the position of President of
8 Illinois State University, there shall be minority
9 representation, including women, on that search committee. The
10 Board shall, upon the written request of an employee of
11 Illinois State University, withhold from the compensation of
12 that employee any dues, payments or contributions payable by
13 such employee to any labor organization as defined in the
14 Illinois Educational Labor Relations Act. Under such
15 arrangement, an amount shall be withheld from each regular
16 payroll period which is equal to the pro rata share of the
17 annual dues plus any payments or contributions, and the Board
18 shall transmit such withholdings to the specified labor
19 organization within 10 working days from the time of the
20 withholding;

21 (3) To prescribe the courses of study to be followed, and
22 textbooks and apparatus to be used at Illinois State
23 University;

24 (4) To issue upon the recommendation of the faculty,
25 diplomas to such persons as have satisfactorily completed the
26 required studies of Illinois State University, and confer such

1 professional and literary degrees as are usually conferred by
2 other institutions of like character for similar or equivalent
3 courses of study, or such as the Board may deem appropriate;

4 (5) To examine into the conditions, management, and
5 administration of Illinois State University, to provide the
6 requisite buildings, apparatus, equipment and auxiliary
7 enterprises, and to fix and collect matriculation fees; tuition
8 fees; fees for student activities; fees for student facilities
9 such as student union buildings or field houses or stadia or
10 other recreational facilities; student welfare fees;
11 laboratory fees; and similar fees for supplies and materials.
12 The expense of the building, improving, repairing and supplying
13 fuel and furniture and the necessary appliances and apparatus
14 for conducting Illinois State University, the reimbursed
15 expenses of members of the Board, and the salaries or
16 compensation of the President, assistants, agents and other
17 employees of Illinois State University, shall be a charge upon
18 the State Treasury. All other expenses shall be chargeable
19 against students, and the Board shall regulate the charges
20 accordingly;

21 (6) To succeed to and to administer all trusts, trust
22 property, and gifts now or hereafter belonging or pertaining to
23 Illinois State University;

24 (7) To accept endowments of professorships or departments
25 in Illinois State University from any person who may proffer
26 them and, at regular meetings, to prescribe rules and

1 regulations in relation to endowments and declare on what
2 general principles they may be accepted;

3 (8) To enter into contracts with the Federal government for
4 providing courses of instruction and other services at Illinois
5 State University for persons serving in or with the military or
6 naval forces of the United States, and to provide such courses
7 of instruction and other services;

8 (9) To contract with respect to the Cooperative Computer
9 Center to obtain services related to electronic data
10 processing;

11 (10) To provide for the receipt and expenditures of Federal
12 funds paid to Illinois State University by the Federal
13 government for instruction and other services for persons
14 serving in or with the military or naval forces of the United
15 States, and to provide for audits of such funds;

16 (11) To appoint, subject to the applicable civil service
17 law, persons to be members of the Illinois State University
18 Police Department. Members of the Police Department shall be
19 conservators of the peace and as such have all powers possessed
20 by policemen in cities, and sheriffs, including the power to
21 make arrests on view or warrants of violations of State
22 statutes, University rules and regulations and city or county
23 ordinances, except that they may exercise such powers only
24 within counties wherein Illinois State University and any of
25 its branches or properties are located when such is required
26 for the protection of University properties and interests, and

1 its students and personnel, and otherwise, within such
2 counties, when requested by appropriate State or local law
3 enforcement officials. However, such officers shall have no
4 power to serve and execute civil processes.

5 The Board must authorize to each member of the Illinois
6 State University Police Department and to any other employee of
7 Illinois State University exercising the powers of a peace
8 officer a distinct badge that, on its face, (i) clearly states
9 that the badge is authorized by Illinois State University and
10 (ii) contains a unique identifying number. No other badge shall
11 be authorized by Illinois State University;

12 (12) The Board may, directly or in cooperation with other
13 institutions of higher education, acquire by purchase or lease
14 or otherwise, and construct, enlarge, improve, equip,
15 complete, operate, control and manage research and high
16 technology parks, together with the necessary lands,
17 buildings, facilities, equipment, and personal property
18 therefor, to encourage and facilitate (i) the location and
19 development of business and industry in the State of Illinois,
20 and (ii) the increased application and development of
21 technology, and (iii) the improvement and development of the
22 State's economy. The Board may lease to nonprofit corporations
23 all or any part of the land, buildings, facilities, equipment
24 or other property included in a research and high technology
25 park upon such terms and conditions as the Board may deem
26 advisable and enter into any contract or agreement with such

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

18 (13) To assist in the provision of lands, buildings, and
19 facilities that are supportive of university purposes and
20 suitable and appropriate for the conduct and operation of the
21 university's education programs, the Board of Trustees of
22 Illinois State University may exercise the powers specified in
23 subparagraphs (a), (b), and (c) of this paragraph (13) with
24 regard to the following described property located near the
25 Normal, Illinois campus of Illinois State University:

26 Parcel 1: Approximately 300 acres that form a part of the

1 Illinois State University Farm in Section 20, Township 24
2 North, Range 2 East of the Third Principal Meridian in
3 McLean County, Illinois.

4 Parcels 2 and 3: Lands located in the Northeast Quadrant of
5 the City of Normal in McLean County, Illinois, one such
6 parcel consisting of approximately 150 acres located north
7 and east of the old Illinois Soldiers and Sailors
8 Children's School campus, and another such parcel, located
9 in the Northeast Quadrant of the old Soldiers and Sailors
10 Children's School Campus, consisting of approximately
11 1.03.

12 (a) The Board of Trustees may sell, lease, or otherwise
13 transfer and convey all or part of the above described
14 parcels of real estate, together with the improvements
15 situated thereon, to a bona fide purchaser for value,
16 without compliance with the State Property Control Act and
17 on such terms as the Board of Trustees shall determine are
18 in the best interests of Illinois State University and
19 consistent with its objects and purposes.

20 (b) The Board of Trustees may retain the proceeds from
21 the sale, lease, or other transfer of all or any part of
22 the above described parcels of real estate in the
23 University treasury, in a special, separate development
24 fund account that the Auditor General shall examine to
25 assure the use or deposit of those proceeds in a manner
26 consistent with the provisions of subparagraph (c) of this

1 paragraph (13).

2 (c) Moneys from the development fund account may be
3 used by the Board of Trustees of Illinois State University
4 to acquire and develop other land to achieve the same
5 purposes for which the parcels of real estate described in
6 this item (13), all or a part of which have been sold,
7 leased, or otherwise transferred and conveyed, were used
8 and for the purpose of demolition and the processes
9 associated with demolition on the acquired land. Moneys
10 from the development fund account used for any other
11 purpose must be deposited into and appropriated from the
12 General Revenue Fund. Buildings or facilities leased to an
13 entity or person other than the University shall not be
14 subject to any limitations applicable to a State-supported
15 college or university under any law. All development on the
16 land and all the use of any buildings or facilities shall
17 be subject to the control and approval of the Board of
18 Trustees of Illinois State University.

19 (14) To borrow money, as necessary, from time to time in
20 anticipation of receiving tuition, payments from the State of
21 Illinois, or other revenues or receipts of the University, also
22 known as anticipated moneys; provided that the money shall be
23 repaid within 18 months after the time the money is borrowed
24 and the amount borrowed shall not exceed 75% of the total
25 amount of payroll and other expense vouchers submitted, but
26 unpaid at the Comptroller's Office, 30 days prior to the

1 anticipated borrowing. The borrowed moneys shall be applied
2 only for the purposes of paying salaries and other expenses
3 lawfully authorized in the university's State appropriation.
4 No borrowing under this provision shall be allowed after August
5 31, 2010. The borrowed moneys shall be applied to the purposes
6 for which the anticipated moneys are lawfully available. The
7 Chairman or Treasurer of the Board shall execute a promissory
8 note or similar debt instrument to evidence the indebtedness
9 incurred by the borrowing. In connection with a borrowing, the
10 Board may establish a line of credit with a financial
11 institution.

12 The obligation to make the payments due under the
13 promissory note or other debt instrument shall be a lawful
14 obligation of the University payable from the anticipated
15 moneys as set forth in the resolution authorizing the same. Any
16 borrowing under this item (14) shall not constitute a debt,
17 legal or moral, of the State and shall not be enforceable
18 against the State. The promissory note or other debt instrument
19 shall be authorized by a resolution passed by the Board and
20 shall be valid whether or not a budgeted item with respect to
21 that resolution is included in any annual or supplemental
22 budget adopted by the Board. The resolution shall set forth
23 facts demonstrating the need for the borrowing, state an amount
24 that the amount to be borrowed will not exceed, establish a
25 maximum interest rate limit not to exceed the maximum rate
26 authorized by the Bond Authorization Act, and provide a date by

1 which the borrowed funds shall be repaid. The resolution may
2 direct the Treasurer of the Board to make arrangements to set
3 apart and hold the portion of the anticipated moneys, as
4 received, that shall be used to repay the borrowing, subject to
5 any prior pledges or restrictions with respect to the
6 anticipated moneys. The resolution may also authorize the
7 Treasurer of the Board to make partial repayments of the
8 borrowing as the anticipated moneys become available and may
9 contain any other terms, restrictions, or limitations not
10 inconsistent with the powers of the Board.

11 For the purposes of this item (14), "financial institution"
12 means any bank subject to the Illinois Banking Act, any savings
13 and loan association subject to the Illinois Savings and Loan
14 Act of 1985, and any federally chartered commercial bank or
15 savings and loan association organized and operated in this
16 State pursuant to the laws of the United States.

17 (Source: P.A. 91-396, eff. 7-30-99; 91-883, eff. 1-1-01.)

18 Section 35. The Northern Illinois University Law is amended
19 by changing Section 30-45 as follows:

20 (110 ILCS 685/30-45)

21 Sec. 30-45. Powers and duties. The Board also shall have
22 power and it shall be its duty:

23 (1) To make rules, regulations and bylaws, not inconsistent
24 with law, for the government and management of Northern

1 Illinois University and its branches;

2 (2) To employ, and, for good cause, to remove a President
3 of Northern Illinois University, and all necessary deans,
4 professors, associate professors, assistant professors,
5 instructors, other educational and administrative assistants,
6 and all other necessary employees, and to prescribe their
7 duties and contract with them upon matters relating to tenure,
8 salaries and retirement benefits in accordance with the State
9 Universities Civil Service Act. Whenever the Board establishes
10 a search committee to fill the position of President of
11 Northern Illinois University, there shall be minority
12 representation, including women, on that search committee. The
13 Board shall, upon the written request of an employee of
14 Northern Illinois University, withhold from the compensation
15 of that employee any dues, payments or contributions payable by
16 such employee to any labor organization as defined in the
17 Illinois Educational Labor Relations Act. Under such
18 arrangement, an amount shall be withheld from each regular
19 payroll period which is equal to the pro rata share of the
20 annual dues plus any payments or contributions, and the Board
21 shall transmit such withholdings to the specified labor
22 organization within 10 working days from the time of the
23 withholding;

24 (3) To prescribe the courses of study to be followed, and
25 textbooks and apparatus to be used at Northern Illinois
26 University;

1 (4) To issue upon the recommendation of the faculty,
2 diplomas to such persons as have satisfactorily completed the
3 required studies of Northern Illinois University, and confer
4 such professional and literary degrees as are usually conferred
5 by other institutions of like character for similar or
6 equivalent courses of study, or such as the Board may deem
7 appropriate;

8 (5) To examine into the conditions, management, and
9 administration of Northern Illinois University, to provide the
10 requisite buildings, apparatus, equipment and auxiliary
11 enterprises, and to fix and collect matriculation fees; tuition
12 fees; fees for student activities; fees for student facilities
13 such as student union buildings or field houses or stadia or
14 other recreational facilities; student welfare fees;
15 laboratory fees; and similar fees for supplies and materials.
16 The expense of the building, improving, repairing and supplying
17 fuel and furniture and the necessary appliances and apparatus
18 for conducting Northern Illinois University, the reimbursed
19 expenses of members of the Board, and the salaries or
20 compensation of the President, assistants, agents and other
21 employees of Northern Illinois University, shall be a charge
22 upon the State Treasury. All other expenses shall be chargeable
23 against students, and the Board shall regulate the charges
24 accordingly;

25 (6) To succeed to and to administer all trusts, trust
26 property, and gifts now or hereafter belonging or pertaining to

1 Northern Illinois University;

2 (7) To accept endowments of professorships or departments
3 in Northern Illinois University from any person who may proffer
4 them and, at regular meetings, to prescribe rules and
5 regulations in relation to endowments and declare on what
6 general principles they may be accepted;

7 (8) To enter into contracts with the Federal government for
8 providing courses of instruction and other services at Northern
9 Illinois University for persons serving in or with the military
10 or naval forces of the United States, and to provide such
11 courses of instruction and other services;

12 (9) To contract with respect to the Cooperative Computer
13 Center to obtain services related to electronic data
14 processing;

15 (10) To provide for the receipt and expenditures of Federal
16 funds paid to Northern Illinois University by the Federal
17 government for instruction and other services for persons
18 serving in or with the military or naval forces of the United
19 States, and to provide for audits of such funds;

20 (11) To appoint, subject to the applicable civil service
21 law, persons to be members of the Northern Illinois University
22 Police Department. Members of the Police Department shall be
23 conservators of the peace and as such have all powers possessed
24 by policemen in cities, and sheriffs, including the power to
25 make arrests on view or warrants of violations of State
26 statutes, University rules and regulations and city or county

1 ordinances, except that they may exercise such powers only
2 within counties wherein Northern Illinois University and any of
3 its branches or properties are located when such is required
4 for the protection of University properties and interests, and
5 its students and personnel, and otherwise, within such
6 counties, when requested by appropriate State or local law
7 enforcement officials. However, such officers shall have no
8 power to serve and execute civil processes.

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

17 (12) The Board may, directly or in cooperation with other
18 institutions of higher education, acquire by purchase or lease
19 or otherwise, and construct, enlarge, improve, equip,
20 complete, operate, control and manage research and high
21 technology parks, together with the necessary lands,
22 buildings, facilities, equipment, and personal property
23 therefor, to encourage and facilitate (i) the location and
24 development of business and industry in the State of Illinois,
25 and (ii) the increased application and development of
26 technology, and (iii) the improvement and development of the

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

23 (13) To assist in the provision of buildings and facilities
24 beneficial to, useful for, or supportive of university
25 purposes, the Board of Trustees of Northern Illinois University
26 may exercise the following powers with regard to the area

1 located on or adjacent to the Northern Illinois University
2 DeKalb campus and bounded as follows:

3 Parcel 1:

4 In Township 40 North, Range 4 East, of the Third Prime
5 Meridian, County of DeKalb, State of Illinois: The East
6 half of the Southeast Quarter of Section 17, the Southwest
7 Quarter of Section 16, and the Northwest Quarter of Section
8 21, all in the County of DeKalb, Illinois.

9 Parcel 2:

10 In Township 40 North, Range 4 East, of the Third Prime
11 Meridian, County of DeKalb, State of Illinois: On the
12 North, by a line beginning at the Northwest corner of the
13 Southeast Quarter of Section 15; thence East 1,903.3 feet;
14 thence South to the North line of the Southeast Quarter of
15 the Southeast Quarter of Section 15; thence East along said
16 line to North First Street; on the West by Garden Road
17 between Lucinda Avenue and the North boundary; thence on
18 the South by Lucinda Avenue between Garden Road and the
19 intersection of Lucinda Avenue and the South Branch of the
20 Kishwaukee River, and by the South Branch of the Kishwaukee
21 River between such intersection and easterly to the
22 intersection of such river and North First Street; thence
23 on the East by North First Street.

24 (a) Acquire any interests in land, buildings, or
25 facilities by purchase, including installments payable
26 over a period allowed by law, by lease over a term of such

1 duration as the Board of Trustees shall determine, or by
2 exercise of the power of eminent domain;

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

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

18 Any buildings or facilities to be developed on the land
19 shall be buildings or facilities that, in the determination of
20 the Board of Trustees, in whole or in part: (i) are for use by
21 the University; or (ii) otherwise advance the interests of the
22 University, including, by way of example, residential,
23 recreational, educational, and athletic facilities for
24 University staff and students and commercial facilities which
25 provide services needed by the University community. Revenues
26 from the development fund account may be withdrawn by the

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

17 (14) To borrow money, as necessary, from time to time in
18 anticipation of receiving tuition, payments from the State of
19 Illinois, or other revenues or receipts of the University, also
20 known as anticipated moneys; provided that the money shall be
21 repaid within 18 months after the time the money is borrowed
22 and the amount borrowed shall not exceed 75% of the total
23 amount of payroll and other expense vouchers submitted, but
24 unpaid at the Comptroller's Office, 30 days prior to the
25 anticipated borrowing. The borrowed moneys shall be applied
26 only for the purposes of paying salaries and other expenses

1 lawfully authorized in the university's State appropriation.
2 No borrowing under this provision shall be allowed after August
3 31, 2010. The borrowed moneys shall be applied to the purposes
4 for which the anticipated moneys are lawfully available. The
5 Chairman or Treasurer of the Board shall execute a promissory
6 note or similar debt instrument to evidence the indebtedness
7 incurred by the borrowing. In connection with a borrowing, the
8 Board may establish a line of credit with a financial
9 institution.

10 The obligation to make the payments due under the
11 promissory note or other debt instrument shall be a lawful
12 obligation of the University payable from the anticipated
13 moneys as set forth in the resolution authorizing the same. Any
14 borrowing under this item (14) shall not constitute a debt,
15 legal or moral, of the State and shall not be enforceable
16 against the State. The promissory note or other debt instrument
17 shall be authorized by a resolution passed by the Board and
18 shall be valid whether or not a budgeted item with respect to
19 that resolution is included in any annual or supplemental
20 budget adopted by the Board. The resolution shall set forth
21 facts demonstrating the need for the borrowing, state an amount
22 that the amount to be borrowed will not exceed, establish a
23 maximum interest rate limit not to exceed the maximum rate
24 authorized by the Bond Authorization Act, and provide a date by
25 which the borrowed funds shall be repaid. The resolution may
26 direct the Treasurer of the Board to make arrangements to set

1 apart and hold the portion of the anticipated moneys, as
2 received, that shall be used to repay the borrowing, subject to
3 any prior pledges or restrictions with respect to the
4 anticipated moneys. The resolution may also authorize the
5 Treasurer of the Board to make partial repayments of the
6 borrowing as the anticipated moneys become available and may
7 contain any other terms, restrictions, or limitations not
8 inconsistent with the powers of the Board.

9 For the purposes of this item (14), "financial institution"
10 means any bank subject to the Illinois Banking Act, any savings
11 and loan association subject to the Illinois Savings and Loan
12 Act of 1985, and any federally chartered commercial bank or
13 savings and loan association organized and operated in this
14 State pursuant to the laws of the United States.

15 (Source: P.A. 90-284, eff. 1-1-98; 91-883, eff. 1-1-01.)

16 Section 40. The Western Illinois University Law is amended
17 by changing Section 35-45 as follows:

18 (110 ILCS 690/35-45)

19 Sec. 35-45. Powers and duties. The Board also shall have
20 power and it shall be its duty:

21 (1) To make rules, regulations and bylaws, not inconsistent
22 with law, for the government and management of Western Illinois
23 University and its branches;

24 (2) To employ, and, for good cause, to remove a President

1 of Western Illinois University, and all necessary deans,
2 professors, associate professors, assistant professors,
3 instructors, other educational and administrative assistants,
4 and all other necessary employees, and to prescribe their
5 duties and contract with them upon matters relating to tenure,
6 salaries and retirement benefits in accordance with the State
7 Universities Civil Service Act. Whenever the Board establishes
8 a search committee to fill the position of President of Western
9 Illinois University, there shall be minority representation,
10 including women, on that search committee. The Board shall,
11 upon the written request of an employee of Western Illinois
12 University, withhold from the compensation of that employee any
13 dues, payments or contributions payable by such employee to any
14 labor organization as defined in the Illinois Educational Labor
15 Relations Act. Under such arrangement, an amount shall be
16 withheld from each regular payroll period which is equal to the
17 pro rata share of the annual dues plus any payments or
18 contributions, and the Board shall transmit such withholdings
19 to the specified labor organization within 10 working days from
20 the time of the withholding;

21 (3) To prescribe the courses of study to be followed, and
22 textbooks and apparatus to be used at Western Illinois
23 University;

24 (4) To issue upon the recommendation of the faculty,
25 diplomas to such persons as have satisfactorily completed the
26 required studies of Western Illinois University, and confer

1 such professional and literary degrees as are usually conferred
2 by other institutions of like character for similar or
3 equivalent courses of study, or such as the Board may deem
4 appropriate;

5 (5) To examine into the conditions, management, and
6 administration of Western Illinois University, to provide the
7 requisite buildings, apparatus, equipment and auxiliary
8 enterprises, and to fix and collect matriculation fees; tuition
9 fees; fees for student activities; fees for student facilities
10 such as student union buildings or field houses or stadia or
11 other recreational facilities; student welfare fees;
12 laboratory fees; and similar fees for supplies and materials.
13 The expense of the building, improving, repairing and supplying
14 fuel and furniture and the necessary appliances and apparatus
15 for conducting Western Illinois University, the reimbursed
16 expenses of members of the Board, and the salaries or
17 compensation of the President, assistants, agents and other
18 employees of Western Illinois University, shall be a charge
19 upon the State Treasury. All other expenses shall be chargeable
20 against students, and the Board shall regulate the charges
21 accordingly;

22 (6) To succeed to and to administer all trusts, trust
23 property, and gifts now or hereafter belonging or pertaining to
24 Western Illinois University;

25 (7) To accept endowments of professorships or departments
26 in Western Illinois University from any person who may proffer

1 them and, at regular meetings, to prescribe rules and
2 regulations in relation to endowments and declare on what
3 general principles they may be accepted;

4 (8) To enter into contracts with the Federal government for
5 providing courses of instruction and other services at Western
6 Illinois University for persons serving in or with the military
7 or naval forces of the United States, and to provide such
8 courses of instruction and other services;

9 (9) To contract with respect to the Cooperative Computer
10 Center to obtain services related to electronic data
11 processing;

12 (10) To provide for the receipt and expenditures of Federal
13 funds paid to Western Illinois University by the Federal
14 government for instruction and other services for persons
15 serving in or with the military or naval forces of the United
16 States, and to provide for audits of such funds;

17 (11) To appoint, subject to the applicable civil service
18 law, persons to be members of the Western Illinois University
19 Police Department. Members of the Police Department shall be
20 conservators of the peace and as such have all powers possessed
21 by policemen in cities, and sheriffs, including the power to
22 make arrests on view or warrants of violations of State
23 statutes, University rules and regulations and city or county
24 ordinances, except that they may exercise such powers only
25 within counties wherein Western Illinois University and any of
26 its branches or properties are located when such is required

1 for the protection of University properties and interests, and
2 its students and personnel, and otherwise, within such
3 counties, when requested by appropriate State or local law
4 enforcement officials. However, such officers shall have no
5 power to serve and execute civil processes.

6 The Board must authorize to each member of the Western
7 Illinois University Police Department and to any other employee
8 of Western Illinois University exercising the powers of a peace
9 officer a distinct badge that, on its face, (i) clearly states
10 that the badge is authorized by Western Illinois University and
11 (ii) contains a unique identifying number. No other badge shall
12 be authorized by Western Illinois University;

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

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

19 (13) To borrow money, as necessary, from time to time in
20 anticipation of receiving tuition, payments from the State of
21 Illinois, or other revenues or receipts of the University, also
22 known as anticipated moneys; provided that the money shall be
23 repaid within 18 months after the time the money is borrowed
24 and the amount borrowed shall not exceed 75% of the total
25 amount of payroll and other expense vouchers submitted, but
26 unpaid at the Comptroller's Office, 30 days prior to the

1 anticipated borrowing. The borrowed moneys shall be applied
2 only for the purposes of paying salaries and other expenses
3 lawfully authorized in the university's State appropriation.
4 No borrowing under this provision shall be allowed after August
5 31, 2010. The borrowed moneys shall be applied to the purposes
6 for which the anticipated moneys are lawfully available. The
7 Chairman or Treasurer of the Board shall execute a promissory
8 note or similar debt instrument to evidence the indebtedness
9 incurred by the borrowing. In connection with a borrowing, the
10 Board may establish a line of credit with a financial
11 institution.

12 The obligation to make the payments due under the
13 promissory note or other debt instrument shall be a lawful
14 obligation of the University payable from the anticipated
15 moneys as set forth in the resolution authorizing the same. Any
16 borrowing under this item (13) shall not constitute a debt,
17 legal or moral, of the State and shall not be enforceable
18 against the State. The promissory note or other debt instrument
19 shall be authorized by a resolution passed by the Board and
20 shall be valid whether or not a budgeted item with respect to
21 that resolution is included in any annual or supplemental
22 budget adopted by the Board. The resolution shall set forth
23 facts demonstrating the need for the borrowing, state an amount
24 that the amount to be borrowed will not exceed, establish a
25 maximum interest rate limit not to exceed the maximum rate
26 authorized by the Bond Authorization Act, and provide a date by

1 which the borrowed funds shall be repaid. The resolution may
2 direct the Treasurer of the Board to make arrangements to set
3 apart and hold the portion of the anticipated moneys, as
4 received, that shall be used to repay the borrowing, subject to
5 any prior pledges or restrictions with respect to the
6 anticipated moneys. The resolution may also authorize the
7 Treasurer of the Board to make partial repayments of the
8 borrowing as the anticipated moneys become available and may
9 contain any other terms, restrictions, or limitations not
10 inconsistent with the powers of the Board.

11 For the purposes of this item (13), "financial institution"
12 means any bank subject to the Illinois Banking Act, any savings
13 and loan association subject to the Illinois Savings and Loan
14 Act of 1985, and any federally chartered commercial bank or
15 savings and loan association organized and operated in this
16 State pursuant to the laws of the United States.

17 (Source: P.A. 91-883, eff. 1-1-01.)

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