

1 AN ACT concerning education.

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

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

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

7 Sec. 7. Powers of trustees.

8 (a) The trustees shall have power to provide for the
9 requisite buildings, apparatus, and conveniences; to fix the
10 rates for tuition; to appoint such professors and instructors,
11 and to establish and provide for the management of such model
12 farms, model art, and other departments and professorships, as
13 may be required to teach, in the most thorough manner, such
14 branches of learning as are related to agriculture and the
15 mechanic arts, and military tactics, without excluding other
16 scientific and classical studies. The trustees shall, upon the
17 written request of an employee withhold from the compensation
18 of that employee any dues, payments or contributions payable by
19 such employee to any labor organization as defined in the
20 Illinois Educational Labor Relations Act. Under such
21 arrangement, an amount shall be withheld from each regular
22 payroll period which is equal to the pro rata share of the
23 annual dues plus any payments or contributions, and the

1 trustees shall transmit such withholdings to the specified
2 labor organization within 10 working days from the time of the
3 withholding. They may accept the endowments and voluntary
4 professorships or departments in the University, from any
5 person or persons or corporations who may offer the same, and,
6 at any regular meeting of the board, may prescribe rules and
7 regulations in relation to such endowments and declare on what
8 general principles they may be admitted: Provided, that such
9 special voluntary endowments or professorships shall not be
10 incompatible with the true design and scope of the act of
11 congress, or of this Act: Provided, that no student shall at
12 any time be allowed to remain in or about the University in
13 idleness, or without full mental or industrial occupation: And
14 provided further, that the trustees, in the exercise of any of
15 the powers conferred by this Act, shall not create any
16 liability or indebtedness in excess of the funds in the hands
17 of the treasurer of the University at the time of creating such
18 liability or indebtedness, and which may be specially and
19 properly applied to the payment of the same. Any lease to the
20 trustees of lands, buildings or facilities which will support
21 scientific research and development in such areas as high
22 technology, super computing, microelectronics, biotechnology,
23 robotics, physics and engineering shall be for a term not to
24 exceed 18 years, and may grant to the trustees the option to
25 purchase the lands, buildings or facilities. The lease shall
26 recite that it is subject to termination and cancellation in

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

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

14 The Trustees shall have power (a) to purchase real property
15 and easements, and (b) to acquire real property and easements
16 in the manner provided by law for the exercise of the right of
17 eminent domain, and in the event negotiations for the
18 acquisition of real property or easements for making any
19 improvement which the Trustees are authorized to make shall
20 have proven unsuccessful and the Trustees shall have by
21 resolution adopted a schedule or plan of operation for the
22 execution of the project and therein made a finding that it is
23 necessary to take such property or easements immediately or at
24 some specified later date in order to comply with the schedule,
25 the Trustees may acquire such property or easements in the same
26 manner provided in Article 20 of the Eminent Domain Act

1 (quick-take procedure).

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

22 The Board of Trustees of the University of Illinois,
23 subject to the applicable civil service law, may appoint
24 persons to be members of the University of Illinois Police
25 Department. Members of the Police Department shall be peace
26 officers and as such have all powers possessed by policemen in

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

11 The Board of Trustees must authorize to each member of the
12 University of Illinois Police Department and to any other
13 employee of the University of Illinois exercising the powers of
14 a peace officer a distinct badge that, on its face, (i) clearly
15 states that the badge is authorized by the University of
16 Illinois and (ii) contains a unique identifying number. No
17 other badge shall be authorized by the University of Illinois.
18 Nothing in this paragraph prohibits the Board of Trustees from
19 issuing shields or other distinctive identification to
20 employees not exercising the powers of a peace officer if the
21 Board of Trustees determines that a shield or distinctive
22 identification is needed by the employee to carry out his or
23 her responsibilities.

24 The Board of Trustees may own, operate, or govern, by or
25 through the College of Medicine at Peoria, a managed care
26 community network established under subsection (b) of Section

1 5-11 of the Illinois Public Aid Code.

2 The powers of the trustees as herein designated are subject
3 to the provisions of "An Act creating a Board of Higher
4 Education, defining its powers and duties, making an
5 appropriation therefor, and repealing an Act herein named",
6 approved August 22, 1961, as amended.

7 The Board of Trustees shall have the authority to adopt all
8 administrative rules which may be necessary for the effective
9 administration, enforcement and regulation of all matters for
10 which the Board has jurisdiction or responsibility.

11 (b) To assist in the provision of buildings and facilities
12 beneficial to, useful for, or supportive of University
13 purposes, the Board of Trustees of the University of Illinois
14 may exercise the following powers with regard to the area
15 located on or adjacent to the University of Illinois at Chicago
16 campus and bounded as follows: on the West by Morgan Street; on
17 the North by Roosevelt Road; on the East by Union Street; and
18 on the South by 16th Street, in the City of Chicago:

19 (1) Acquire any interests in land, buildings, or
20 facilities by purchase, including installments payable
21 over a period allowed by law, by lease over a term of such
22 duration as the Board of Trustees shall determine, or by
23 exercise of the power of eminent domain;

24 (2) Sub-lease or contract to purchase through
25 installments all or any portion of buildings or facilities
26 for such duration and on such terms as the Board of

1 Trustees shall determine, including a term that exceeds 5
2 years, provided that each such lease or purchase contract
3 shall be and shall recite that it is subject to termination
4 and cancellation in any year for which the General Assembly
5 fails to make an appropriation to pay the rent or purchase
6 installments payable under the terms of such lease or
7 purchase contract; and

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

13 Any buildings or facilities to be developed on the land shall
14 be buildings or facilities that, in the determination of the
15 Board of Trustees, in whole or in part: (i) are for use by the
16 University; or (ii) otherwise advance the interests of the
17 University, including, by way of example, residential
18 facilities for University staff and students and commercial
19 facilities which provide services needed by the University
20 community. Revenues from the development fund account may be
21 withdrawn by the University for the purpose of demolition and
22 the processes associated with demolition; routine land and
23 property acquisition; extension of utilities; streetscape
24 work; landscape work; surface and structure parking;
25 sidewalks, recreational paths, and street construction; and
26 lease and lease purchase arrangements and the professional

1 services associated with the planning and development of the
2 area. Moneys from the development fund account used for any
3 other purpose must be deposited into and appropriated from the
4 General Revenue Fund. Buildings or facilities leased to an
5 entity or person other than the University shall not be subject
6 to any limitations applicable to a State supported college or
7 university under any law. All development on the land and all
8 use of any buildings or facilities shall be subject to the
9 control and approval of the Board of Trustees.

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

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

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

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

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

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

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

15 (110 ILCS 520/8) (from Ch. 144, par. 658)

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

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

21 2. To employ, and, for good cause, to remove a
22 president of Southern Illinois University, and all
23 necessary deans, professors, associate professors,
24 assistant professors, instructors, and other educational

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

19 3. To prescribe the course of study to be followed, and
20 textbooks and apparatus to be used at Southern 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 Southern 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 Southern 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 stadium or other
10 recreational facilities; student welfare fees; laboratory
11 fees and similar fees for supplies and material;

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

15 7. To accept endowments of professorships or
16 departments in the University from any person who may
17 proffer them and, at regular meetings, to prescribe rules
18 and regulations in relation to endowments and declare on
19 what general principles they may be accepted;

20 8. To enter into contracts with the Federal government
21 for providing courses of instruction and other services at
22 Southern Illinois University for persons serving in or with
23 the military or naval forces of the United States, and to
24 provide such courses of instruction and other services;

25 9. To provide for the receipt and expenditures of
26 Federal funds, paid to the Southern Illinois University by

1 the Federal government for instruction and other services
2 for persons serving in or with the military or naval forces
3 of the United States and to provide for audits of such
4 funds;

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

21 The Board must authorize to each member of the Southern
22 Illinois University Police Department and to any other
23 employee of Southern Illinois University exercising the
24 powers of a peace officer a distinct badge that, on its
25 face, (i) clearly states that the badge is authorized by
26 Southern Illinois University and (ii) contains a unique

1 identifying number. No other badge shall be authorized by
2 Southern Illinois University.

3 10.5. To conduct health care programs in furtherance of
4 its teaching, research, and public service functions,
5 which shall include without limitation patient and
6 ancillary facilities, institutes, clinics, or offices
7 owned, leased, or purchased through an equity interest by
8 the Board or its appointed designee to carry out such
9 activities in the course of or in support of the Board's
10 academic, clinical, and public service responsibilities.

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

26 The Board of Trustees may own, operate, or govern, by

1 or through the School of Medicine, a managed care community
2 network established under subsection (b) of Section 5-11 of
3 the Illinois Public Aid Code.

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

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

13 13. To borrow money, as necessary, from time to time in
14 anticipation of receiving tuition, payments from the State
15 of Illinois, or other revenues or receipts of the
16 University, also known as anticipated moneys. The
17 borrowing limit shall be capped at 100% of the total amount
18 of payroll and other expense vouchers submitted and payable
19 to the University for fiscal year 2010 expenses, but unpaid
20 at the State Comptroller's office. Prior to borrowing any
21 funds, the University shall request from the Comptroller's
22 office a verification of the borrowing limit and shall
23 include the estimated date on which such borrowing shall
24 occur. The borrowing limit cap shall be verified by State
25 Comptroller's office not prior to 45 days before any
26 estimated date for executing any promissory note or line of

1 credit established under this item 13. The principal amount
2 borrowed under a promissory note or line of credit shall
3 not exceed 75% of the borrowing limit. Within 15 days after
4 borrowing funds under any promissory note or line of credit
5 established under this item 13, the University shall submit
6 to the Governor's Office of Management and Budget, the
7 Speaker of the House of Representatives, the Minority
8 Leader of the House of Representatives, the President of
9 the Senate, and Minority Leader of the Senate, an Emergency
10 Short Term Cash Management Plan. The Emergency Short Term
11 Cash Management Plan shall outline the amount borrowed, the
12 terms for repayment, the amount of outstanding State
13 vouchers as verified by the State Comptroller's office, and
14 the University's plan for expenditure of any borrowed
15 funds, including, but not limited to, a detailed plan to
16 meet payroll obligations to include collective bargaining
17 employees, civil service employees, and academic,
18 research, and health care personnel. The establishment of
19 any promissory note or line of credit established under
20 this item 13 must be finalized within 90 days after the
21 effective date of this amendatory Act of the 96th General
22 Assembly. The borrowed moneys shall be applied to the
23 purposes of paying salaries and other expenses lawfully
24 authorized in the University's State appropriation and
25 unpaid by the State Comptroller. Any line of credit
26 established under this item 13 shall be paid in full one

1 year after creation or within 10 days after the date the
2 University receives reimbursement from the State for all
3 submitted fiscal year 2010 vouchers, whichever is earlier.
4 Any promissory note established under this item 13 shall be
5 repaid within one year after issuance of the note. The
6 Chairman, Comptroller, or Treasurer of the Board shall
7 execute a promissory note or similar debt instrument to
8 evidence the indebtedness incurred by the borrowing. In
9 connection with a borrowing, the Board may establish a line
10 of credit with a financial institution, investment bank, or
11 broker/dealer. The obligation to make the payments due
12 under any promissory note or line of credit established
13 under this item 13 shall be a lawful obligation of the
14 University payable from the anticipated moneys. Any
15 borrowing under this item 13 shall not constitute a debt,
16 legal or moral, of the State and shall not be enforceable
17 against the State. The promissory note or line of credit
18 shall be authorized by a resolution passed by the Board and
19 shall be valid whether or not a budgeted item with respect
20 to that resolution is included in any annual or
21 supplemental budget adopted by the Board. The resolution
22 shall set forth facts demonstrating the need for the
23 borrowing, state an amount that the amount to be borrowed
24 will not exceed, and establish a maximum interest rate
25 limit not to exceed the maximum rate authorized by the Bond
26 Authorization Act or 9%, whichever is less. The resolution

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

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

18 The powers of the Board as herein designated are subject to
19 the Board of Higher Education Act.

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

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

23 (110 ILCS 660/5-45)

24 Sec. 5-45. Powers and duties. The Board also shall have

1 power and it shall be its duty:

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

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

26 (3) To prescribe the courses of study to be followed, and

1 textbooks and apparatus to be used at Chicago State University;

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

8 (5) To examine into the conditions, management, and
9 administration of Chicago State 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 Chicago State 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 Chicago State University, shall be a charge upon
22 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 Chicago State University;

2 (7) To accept endowments of professorships or departments
3 in Chicago State 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 Chicago
9 State University for persons serving in or with the military or
10 naval forces of the United States, and to provide such courses
11 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 Chicago State 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 Chicago State 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 Chicago State University and any of its
3 branches or properties are located when such is required for
4 the protection of University properties and interests, and its
5 students and personnel, and otherwise, within such counties,
6 when requested by appropriate State or local law enforcement
7 officials. However, such officers shall have no power to serve
8 and execute civil processes.

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

16 (12) 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 (13) To borrow money, as necessary, from time to time in
23 anticipation of receiving tuition, payments from the State of
24 Illinois, or other revenues or receipts of the University, also
25 known as anticipated moneys. The borrowing limit shall be
26 capped at 100% of the total amount of payroll and other expense

1 vouchers submitted and payable to the University for fiscal
2 year 2010 expenses, but unpaid at the State Comptroller's
3 office. Prior to borrowing any funds, the University shall
4 request from the Comptroller's office a verification of the
5 borrowing limit and shall include the estimated date on which
6 such borrowing shall occur. The borrowing limit cap shall be
7 verified by State Comptroller's office not prior to 45 days
8 before any estimated date for executing any promissory note or
9 line of credit established under this item (13). The principal
10 amount borrowed under a promissory note or line of credit shall
11 not exceed 75% of the borrowing limit. Within 15 days after
12 borrowing funds under any promissory note or line of credit
13 established under this item (13), the University shall submit
14 to the Governor's Office of Management and Budget, the Speaker
15 of the House of Representatives, the Minority Leader of the
16 House of Representatives, the President of the Senate, and
17 Minority Leader of the Senate, an Emergency Short Term Cash
18 Management Plan. The Emergency Short Term Cash Management Plan
19 shall outline the amount borrowed, the terms for repayment, the
20 amount of outstanding State vouchers as verified by the State
21 Comptroller's office, and the University's plan for
22 expenditure of any borrowed funds, including, but not limited
23 to, a detailed plan to meet payroll obligations to include
24 collective bargaining employees, civil service employees, and
25 academic, research, and health care personnel. The
26 establishment of any promissory note or line of credit

1 established under this item (13) must be finalized within 90
2 days after the effective date of this amendatory Act of the
3 96th General Assembly. The borrowed moneys shall be applied to
4 the purposes of paying salaries and other expenses lawfully
5 authorized in the University's State appropriation and unpaid
6 by the State Comptroller. Any line of credit established under
7 this item (13) shall be paid in full one year after creation or
8 within 10 days after the date the University receives
9 reimbursement from the State for all submitted fiscal year 2010
10 vouchers, whichever is earlier. Any promissory note
11 established under this item (13) shall be repaid within one
12 year after issuance of the note. The Chairman, Comptroller, or
13 Treasurer of the Board shall execute a promissory note or
14 similar debt instrument to evidence the indebtedness incurred
15 by the borrowing. In connection with a borrowing, the Board may
16 establish a line of credit with a financial institution,
17 investment bank, or broker/dealer. The obligation to make the
18 payments due under any promissory note or line of credit
19 established under this item (13) shall be a lawful obligation
20 of the University payable from the anticipated moneys. Any
21 borrowing under this item (13) shall not constitute a debt,
22 legal or moral, of the State and shall not be enforceable
23 against the State. The promissory note or line of credit shall
24 be authorized by a resolution passed by the Board and shall be
25 valid whether or not a budgeted item with respect to that
26 resolution is included in any annual or supplemental budget

1 adopted by the Board. The resolution shall set forth facts
2 demonstrating the need for the borrowing, state an amount that
3 the amount to be borrowed will not exceed, and establish a
4 maximum interest rate limit not to exceed the maximum rate
5 authorized by the Bond Authorization Act or 9%, whichever is
6 less. The resolution may direct the Comptroller or Treasurer of
7 the Board to make arrangements to set apart and hold the
8 portion of the anticipated moneys, as received, that shall be
9 used to repay the borrowing, subject to any prior pledges or
10 restrictions with respect to the anticipated moneys. The
11 resolution may also authorize the Treasurer of the Board to
12 make partial repayments of the borrowing as the anticipated
13 moneys become available and may contain any other terms,
14 restrictions, or limitations not inconsistent with the powers
15 of the Board.

16 For the purposes of this item (13), "financial institution"
17 means any bank subject to the Illinois Banking Act, any savings
18 and loan association subject to the Illinois Savings and Loan
19 Act of 1985, and any federally chartered commercial bank or
20 savings and loan association or government-sponsored
21 enterprise organized and operated in this State pursuant to the
22 laws of the United States.

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

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

1 (110 ILCS 665/10-45)

2 Sec. 10-45. Powers and duties.

3 (a) The Board also shall have power and it shall be its
4 duty:

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

8 (2) To employ, and, for good cause, to remove a
9 President of Eastern Illinois University, and all
10 necessary deans, professors, associate professors,
11 assistant professors, instructors, other educational and
12 administrative assistants, and all other necessary
13 employees, and to prescribe their duties and contract with
14 them upon matters relating to tenure, salaries and
15 retirement benefits in accordance with the State
16 Universities Civil Service Act. Whenever the Board
17 establishes a search committee to fill the position of
18 President of Eastern Illinois University, there shall be
19 minority representation, including women, on that search
20 committee. The Board shall, upon the written request of an
21 employee of Eastern Illinois University, withhold from the
22 compensation of that employee any dues, payments or
23 contributions payable by such employee to any labor
24 organization as defined in the Illinois Educational Labor
25 Relations Act. Under such arrangement, an amount shall be

1 withheld from each regular payroll period which is equal to
2 the pro rata share of the annual dues plus any payments or
3 contributions, and the Board shall transmit such
4 withholdings to the specified labor organization within 10
5 working days from the time of the withholding.

6 (3) To prescribe the courses of study to be followed,
7 and textbooks and apparatus to be used at Eastern Illinois
8 University.

9 (4) To issue upon the recommendation of the faculty,
10 diplomas to such persons as have satisfactorily completed
11 the required studies of Eastern Illinois University, and
12 confer such professional and literary degrees as are
13 usually conferred by other institutions of like character
14 for similar or equivalent courses of study, or such as the
15 Board may deem appropriate.

16 (5) To examine into the conditions, management, and
17 administration of Eastern Illinois University, to provide
18 the requisite buildings, apparatus, equipment and
19 auxiliary enterprises, and to fix and collect
20 matriculation fees; tuition fees; fees for student
21 activities; fees for student facilities such as student
22 union buildings or field houses or stadia or other
23 recreational facilities; student welfare fees; laboratory
24 fees; and similar fees for supplies and materials. The
25 expense of the building, improving, repairing and
26 supplying fuel and furniture and the necessary appliances

1 and apparatus for conducting Eastern Illinois University,
2 the reimbursed expenses of members of the Board, and the
3 salaries or compensation of the President, assistants,
4 agents and other employees of Eastern Illinois University,
5 shall be a charge upon the State Treasury. All other
6 expenses shall be chargeable against students, and the
7 Board shall regulate the charges accordingly.

8 (6) To succeed to and to administer all trusts, trust
9 property, and gifts now or hereafter belonging or
10 pertaining to Eastern Illinois University.

11 (7) To accept endowments of professorships or
12 departments in Eastern Illinois University from any person
13 who may proffer them and, at regular meetings, to prescribe
14 rules and regulations in relation to endowments and declare
15 on what general principles they may be accepted.

16 (8) To enter into contracts with the Federal government
17 for providing courses of instruction and other services at
18 Eastern Illinois University for persons serving in or with
19 the military or naval forces of the United States, and to
20 provide such courses of instruction and other services.

21 (9) To contract with respect to the Cooperative
22 Computer Center to obtain services related to electronic
23 data processing.

24 (10) To provide for the receipt and expenditures of
25 Federal funds paid to Eastern Illinois University by the
26 Federal government for instruction and other services for

1 persons serving in or with the military or naval forces of
2 the United States, and to provide for audits of such funds.

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

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

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

1 outstanding State vouchers as verified by the State
2 Comptroller's office, and the University's plan for
3 expenditure of any borrowed funds, including, but not
4 limited to, a detailed plan to meet payroll obligations to
5 include collective bargaining employees, civil service
6 employees, and academic, research, and health care
7 personnel. The establishment of any promissory note or line
8 of credit established under this item (12) must be
9 finalized within 90 days after the effective date of this
10 amendatory Act of the 96th General Assembly. The borrowed
11 moneys shall be applied to the purposes of paying salaries
12 and other expenses lawfully authorized in the University's
13 State appropriation and unpaid by the State Comptroller.
14 Any line of credit established under this item (12) shall
15 be paid in full one year after creation or within 10 days
16 after the date the University receives reimbursement from
17 the State for all submitted fiscal year 2010 vouchers,
18 whichever is earlier. Any promissory note established
19 under this item (12) shall be repaid within one year after
20 issuance of the note. The Chairman, Comptroller, or
21 Treasurer of the Board shall execute a promissory note or
22 similar debt instrument to evidence the indebtedness
23 incurred by the borrowing. In connection with a borrowing,
24 the Board may establish a line of credit with a financial
25 institution, investment bank, or broker/dealer. The
26 obligation to make the payments due under any promissory

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

26 For the purposes of this item (12), "financial

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

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

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

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

18 Lots 511 and 512 in Heritage Woods V, Charleston, Coles
19 County, Illinois.

20 Revenues from the development fund account may be withdrawn by
21 the University for the purpose of upgrading the on-campus
22 formal reception facility. Moneys from the development fund
23 account used for any other purpose must be deposited into and
24 appropriated from the General Revenue Fund.

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

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

3 (110 ILCS 670/15-45)

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

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

9 (2) To employ, and, for good cause, to remove a President
10 of Governors State University, and all necessary deans,
11 professors, associate professors, assistant professors,
12 instructors, other educational and administrative assistants,
13 and all other necessary employees, and to prescribe their
14 duties and contract with them upon matters relating to tenure,
15 salaries and retirement benefits in accordance with the State
16 Universities Civil Service Act. Whenever the Board establishes
17 a search committee to fill the position of President of
18 Governors State University, there shall be minority
19 representation, including women, on that search committee. The
20 Board shall, upon the written request of an employee of
21 Governors State University, withhold from the compensation of
22 that employee any dues, payments or contributions payable by
23 such employee to any labor organization as defined in the
24 Illinois Educational Labor Relations Act. Under such
25 arrangement, an amount shall be withheld from each regular

1 payroll period which is equal to the pro rata share of the
2 annual dues plus any payments or contributions, and the Board
3 shall transmit such withholdings to the specified labor
4 organization within 10 working days from the time of the
5 withholding;

6 (3) To prescribe the courses of study to be followed, and
7 textbooks and apparatus to be used at Governors State
8 University;

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

15 (5) To examine into the conditions, management, and
16 administration of Governors State University, to provide the
17 requisite buildings, apparatus, equipment and auxiliary
18 enterprises, and to fix and collect matriculation fees; tuition
19 fees; fees for student activities; fees for student facilities
20 such as student union buildings or field houses or stadia or
21 other recreational facilities; student welfare fees;
22 laboratory fees; and similar fees for supplies and materials.
23 The expense of the building, improving, repairing and supplying
24 fuel and furniture and the necessary appliances and apparatus
25 for conducting Governors State University, the reimbursed
26 expenses of members of the Board, and the salaries or

1 compensation of the President, assistants, agents and other
2 employees of Governors State University, shall be a charge upon
3 the State Treasury. All other expenses shall be chargeable
4 against students, and the Board shall regulate the charges
5 accordingly;

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

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

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

19 (9) To operate, maintain, and contract with respect to the
20 Cooperative Computer Center for its own purposes and to provide
21 services related to electronic data processing to other public
22 and private colleges and universities, to governmental
23 agencies, and to public or private not-for-profit agencies; and
24 to examine the conditions, management, and administration of
25 the Cooperative Computer Center;

26 (10) To provide for the receipt and expenditures of Federal

1 funds paid to Governors State University by the Federal
2 government for instruction and other services for persons
3 serving in or with the military or naval forces of the United
4 States, and to provide for audits of such funds;

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

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

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

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

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

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

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

26 For the purposes of this item (13), "financial institution"

1 means any bank subject to the Illinois Banking Act, any savings
2 and loan association subject to the Illinois Savings and Loan
3 Act of 1985, and any federally chartered commercial bank or
4 savings and loan association or government-sponsored
5 enterprise organized and operated in this State pursuant to the
6 laws of the United States.

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

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

10 (110 ILCS 675/20-45)

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

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

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

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

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

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

23 (5) To examine into the conditions, management, and
24 administration of Illinois State University, to provide the
25 requisite buildings, apparatus, equipment and auxiliary
26 enterprises, and to fix and collect matriculation fees; tuition

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

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

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

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

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

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

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

24 The Board must authorize to each member of the Illinois
25 State University Police Department and to any other employee of
26 Illinois State University exercising the powers of a peace

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

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

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

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

19 Parcel 1: Approximately 300 acres that form a part of the
20 Illinois State University Farm in Section 20, Township 24
21 North, Range 2 East of the Third Principal Meridian in
22 McLean County, Illinois.

23 Parcels 2 and 3: Lands located in the Northeast Quadrant of
24 the City of Normal in McLean County, Illinois, one such
25 parcel consisting of approximately 150 acres located north
26 and east of the old Illinois Soldiers and Sailors

1 Children's School campus, and another such parcel, located
2 in the Northeast Quadrant of the old Soldiers and Sailors
3 Children's School Campus, consisting of approximately
4 1.03.

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

13 (b) The Board of Trustees may retain the proceeds from
14 the sale, lease, or other transfer of all or any part of
15 the above described parcels of real estate in the
16 University treasury, in a special, separate development
17 fund account that the Auditor General shall examine to
18 assure the use or deposit of those proceeds in a manner
19 consistent with the provisions of subparagraph (c) of this
20 paragraph (13).

21 (c) Moneys from the development fund account may be
22 used by the Board of Trustees of Illinois State University
23 to acquire and develop other land to achieve the same
24 purposes for which the parcels of real estate described in
25 this item (13), all or a part of which have been sold,
26 leased, or otherwise transferred and conveyed, were used

1 and for the purpose of demolition and the processes
2 associated with demolition on the acquired land. Moneys
3 from the development fund account used for any other
4 purpose must be deposited into and appropriated from the
5 General Revenue Fund. Buildings or facilities leased to an
6 entity or person other than the University shall not be
7 subject to any limitations applicable to a State-supported
8 college or university under any law. All development on the
9 land and all the use of any buildings or facilities shall
10 be subject to the control and approval of the Board of
11 Trustees of Illinois State University;

12 (14) 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. The borrowing limit shall be
16 capped at 100% of the total amount of payroll and other expense
17 vouchers submitted and payable to the University for fiscal
18 year 2010 expenses, but unpaid at the State Comptroller's
19 office. Prior to borrowing any funds, the University shall
20 request from the Comptroller's office a verification of the
21 borrowing limit and shall include the estimated date on which
22 such borrowing shall occur. The borrowing limit cap shall be
23 verified by State Comptroller's office not prior to 45 days
24 before any estimated date for executing any promissory note or
25 line of credit established under this item (14). The principal
26 amount borrowed under a promissory note or line of credit shall

1 not exceed 75% of the borrowing limit. Within 15 days after
2 borrowing funds under any promissory note or line of credit
3 established under this item (14), the University shall submit
4 to the Governor's Office of Management and Budget, the Speaker
5 of the House of Representatives, the Minority Leader of the
6 House of Representatives, the President of the Senate, and
7 Minority Leader of the Senate, an Emergency Short Term Cash
8 Management Plan. The Emergency Short Term Cash Management Plan
9 shall outline the amount borrowed, the terms for repayment, the
10 amount of outstanding State vouchers as verified by the State
11 Comptroller's office, and the University's plan for
12 expenditure of any borrowed funds, including, but not limited
13 to, a detailed plan to meet payroll obligations to include
14 collective bargaining employees, civil service employees, and
15 academic, research, and health care personnel. The
16 establishment of any promissory note or line of credit
17 established under this item (14) must be finalized within 90
18 days after the effective date of this amendatory Act of the
19 96th General Assembly. The borrowed moneys shall be applied to
20 the purposes of paying salaries and other expenses lawfully
21 authorized in the University's State appropriation and unpaid
22 by the State Comptroller. Any line of credit established under
23 this item (14) shall be paid in full one year after creation or
24 within 10 days after the date the University receives
25 reimbursement from the State for all submitted fiscal year 2010
26 vouchers, whichever is earlier. Any promissory note

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

1 resolution may also authorize the Treasurer of the Board to
2 make partial repayments of the borrowing as the anticipated
3 moneys become available and may contain any other terms,
4 restrictions, or limitations not inconsistent with the powers
5 of the Board.

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

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

14 Section 33. The Northeastern Illinois University Law is
15 amended by changing Section 25-45 as follows:

16 (110 ILCS 680/25-45)

17 Sec. 25-45. Powers and duties. The Board also shall have
18 power and it shall be its duty:

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

22 (2) To employ, and, for good cause, to remove a President
23 of Northeastern Illinois University, and all necessary deans,
24 professors, associate professors, assistant professors,

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

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

23 (4) To issue upon the recommendation of the faculty,
24 diplomas to such persons as have satisfactorily completed the
25 required studies of Northeastern Illinois University, and
26 confer such professional and literary degrees as are usually

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

4 (5) To examine into the conditions, management, and
5 administration of Northeastern Illinois University, to provide
6 the 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 Northeastern Illinois University, the
15 reimbursed expenses of members of the Board, and the salaries
16 or compensation of the President, assistants, agents and other
17 employees of Northeastern Illinois University, shall be a
18 charge upon the State Treasury. All other expenses shall be
19 chargeable against students, and the Board shall regulate the
20 charges accordingly;

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

24 (7) To accept endowments of professorships or departments
25 in Northeastern Illinois University from any person who may
26 proffer 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
5 Northeastern 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 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 Northeastern Illinois 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 Northeastern Illinois
18 University Police Department. Members of the Police Department
19 shall be conservators of the peace and as such have all powers
20 possessed by policemen in cities, and sheriffs, including the
21 power to make arrests on view or warrants of violations of
22 State statutes, University rules and regulations and city or
23 county ordinances, except that they may exercise such powers
24 only within counties wherein Northeastern Illinois University
25 and any of its branches or properties are located when such is
26 required for the protection of University properties and

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

5 The Board must authorize to each member of the Northeastern
6 Illinois University Police Department and to any other employee
7 of Northeastern Illinois University exercising the powers of a
8 peace officer a distinct badge that, on its face, (i) clearly
9 states that the badge is authorized by Northeastern Illinois
10 University and (ii) contains a unique identifying number. No
11 other badge shall be authorized by Northeastern Illinois
12 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. The borrowing limit shall be
23 capped at 100% of the total amount of payroll and other expense
24 vouchers submitted and payable to the University for fiscal
25 year 2010 expenses, but unpaid at the State Comptroller's
26 office. Prior to borrowing any funds, the University shall

1 request from the Comptroller's office a verification of the
2 borrowing limit and shall include the estimated date on which
3 such borrowing shall occur. The borrowing limit cap shall be
4 verified by State Comptroller's office not prior to 45 days
5 before any estimated date for executing any promissory note or
6 line of credit established under this item (13). The principal
7 amount borrowed under a promissory note or line of credit shall
8 not exceed 75% of the borrowing limit. Within 15 days after
9 borrowing funds under any promissory note or line of credit
10 established under this item (13), the University shall submit
11 to the Governor's Office of Management and Budget, the Speaker
12 of the House of Representatives, the Minority Leader of the
13 House of Representatives, the President of the Senate, and
14 Minority Leader of the Senate, an Emergency Short Term Cash
15 Management Plan. The Emergency Short Term Cash Management Plan
16 shall outline the amount borrowed, the terms for repayment, the
17 amount of outstanding State vouchers as verified by the State
18 Comptroller's office, and the University's plan for
19 expenditure of any borrowed funds, including, but not limited
20 to, a detailed plan to meet payroll obligations to include
21 collective bargaining employees, civil service employees, and
22 academic, research, and health care personnel. The
23 establishment of any promissory note or line of credit
24 established under this item (13) must be finalized within 90
25 days after the effective date of this amendatory Act of the
26 96th General Assembly. The borrowed moneys shall be applied to

1 the purposes of paying salaries and other expenses lawfully
2 authorized in the University's State appropriation and unpaid
3 by the State Comptroller. Any line of credit established under
4 this item (13) shall be paid in full one year after creation or
5 within 10 days after the date the University receives
6 reimbursement from the State for all submitted fiscal year 2010
7 vouchers, whichever is earlier. Any promissory note
8 established under this item (13) shall be repaid within one
9 year after issuance of the note. The Chairman, Comptroller, or
10 Treasurer of the Board shall execute a promissory note or
11 similar debt instrument to evidence the indebtedness incurred
12 by the borrowing. In connection with a borrowing, the Board may
13 establish a line of credit with a financial institution,
14 investment bank, or broker/dealer. The obligation to make the
15 payments due under any promissory note or line of credit
16 established under this item (13) shall be a lawful obligation
17 of the University payable from the anticipated moneys. Any
18 borrowing under this item (13) shall not constitute a debt,
19 legal or moral, of the State and shall not be enforceable
20 against the State. The promissory note or line of credit shall
21 be authorized by a resolution passed by the Board and shall be
22 valid whether or not a budgeted item with respect to that
23 resolution is included in any annual or supplemental budget
24 adopted by the Board. The resolution shall set forth facts
25 demonstrating the need for the borrowing, state an amount that
26 the amount to be borrowed will not exceed, and establish a

1 maximum interest rate limit not to exceed the maximum rate
2 authorized by the Bond Authorization Act or 9%, whichever is
3 less. The resolution may direct the Comptroller or Treasurer of
4 the Board to make arrangements to set apart and hold the
5 portion of the anticipated moneys, as received, that shall be
6 used to repay the borrowing, subject to any prior pledges or
7 restrictions with respect to the anticipated moneys. The
8 resolution may also authorize the Treasurer of the Board to
9 make partial repayments of the borrowing as the anticipated
10 moneys become available and may contain any other terms,
11 restrictions, or limitations not inconsistent with the powers
12 of the Board.

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

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

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

23 (110 ILCS 685/30-45)

24 Sec. 30-45. Powers and duties. The Board also shall have

1 power and it shall be its duty:

2 (1) To make rules, regulations and bylaws, not inconsistent
3 with law, for the government and management of Northern
4 Illinois University and its branches;

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

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

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

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

1 accordingly;

2 (6) To succeed to and to administer all trusts, trust
3 property, and gifts now or hereafter belonging or pertaining to
4 Northern Illinois University;

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

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

15 (9) To contract with respect to the Cooperative Computer
16 Center to obtain services related to electronic data
17 processing;

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

23 (11) To appoint, subject to the applicable civil service
24 law, persons to be members of the Northern Illinois University
25 Police Department. Members of the Police Department shall be
26 conservators of the peace and as such have all powers possessed

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

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

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

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

26 (13) To assist in the provision of buildings and facilities

1 beneficial to, useful for, or supportive of university
2 purposes, the Board of Trustees of Northern Illinois University
3 may exercise the following powers with regard to the area
4 located on or adjacent to the Northern Illinois University
5 DeKalb campus and bounded as follows:

6 Parcel 1:

7 In Township 40 North, Range 4 East, of the Third Prime
8 Meridian, County of DeKalb, State of Illinois: The East
9 half of the Southeast Quarter of Section 17, the Southwest
10 Quarter of Section 16, and the Northwest Quarter of Section
11 21, all in the County of DeKalb, Illinois.

12 Parcel 2:

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

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

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

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

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

1 University staff and students and commercial facilities which
2 provide services needed by the University community. Revenues
3 from the development fund account may be withdrawn by the
4 University for the purpose of demolition and the processes
5 associated with demolition; routine land and property
6 acquisition; extension of utilities; streetscape work;
7 landscape work; surface and structure parking; sidewalks,
8 recreational paths, and street construction; and lease and
9 lease purchase arrangements and the professional services
10 associated with the planning and development of the area.
11 Moneys from the development fund account used for any other
12 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 the use of any buildings or facilities shall be subject to the
18 control and approval of the Board of Trustees of Northern
19 Illinois University.

20 (14) To borrow money, as necessary, from time to time in
21 anticipation of receiving tuition, payments from the State of
22 Illinois, or other revenues or receipts of the University, also
23 known as anticipated moneys. The borrowing limit shall be
24 capped at 100% of the total amount of payroll and other expense
25 vouchers submitted and payable to the University for fiscal
26 year 2010 expenses, but unpaid at the State Comptroller's

1 office. Prior to borrowing any funds, the University shall
2 request from the Comptroller's office a verification of the
3 borrowing limit and shall include the estimated date on which
4 such borrowing shall occur. The borrowing limit cap shall be
5 verified by State Comptroller's office not prior to 45 days
6 before any estimated date for executing any promissory note or
7 line of credit established under this item (14). The principal
8 amount borrowed under a promissory note or line of credit shall
9 not exceed 75% of the borrowing limit. Within 15 days after
10 borrowing funds under any promissory note or line of credit
11 established under this item (14), the University shall submit
12 to the Governor's Office of Management and Budget, the Speaker
13 of the House of Representatives, the Minority Leader of the
14 House of Representatives, the President of the Senate, and
15 Minority Leader of the Senate, an Emergency Short Term Cash
16 Management Plan. The Emergency Short Term Cash Management Plan
17 shall outline the amount borrowed, the terms for repayment, the
18 amount of outstanding State vouchers as verified by the State
19 Comptroller's office, and the University's plan for
20 expenditure of any borrowed funds, including, but not limited
21 to, a detailed plan to meet payroll obligations for all
22 collective bargaining employees, civil service employees, and
23 academic, research, and health care personnel. The
24 establishment of any promissory note or line of credit
25 established under this item (14) must be finalized within 90
26 days after the effective date of this amendatory Act of the

1 96th General Assembly. The borrowed moneys shall be applied to
2 the purposes of paying salaries and other expenses lawfully
3 authorized in the University's State appropriation and unpaid
4 by the State Comptroller. Any line of credit established under
5 this item (14) shall be paid in full one year after creation or
6 within 10 days after the date the University receives
7 reimbursement from the State for all submitted fiscal year 2010
8 vouchers, whichever is earlier. Any promissory note
9 established under this item (14) shall be repaid within one
10 year after issuance of the note. The Chairman, Comptroller, or
11 Treasurer of the Board shall execute a promissory note or
12 similar debt instrument to evidence the indebtedness incurred
13 by the borrowing. In connection with a borrowing, the Board may
14 establish a line of credit with a financial institution,
15 investment bank, or broker/dealer. The obligation to make the
16 payments due under any promissory note or line of credit
17 established under this item (14) shall be a lawful obligation
18 of the University payable from the anticipated moneys. Any
19 borrowing under this item (14) shall not constitute a debt,
20 legal or moral, of the State and shall not be enforceable
21 against the State. The promissory note or line of credit shall
22 be authorized by a resolution passed by the Board and shall be
23 valid whether or not a budgeted item with respect to that
24 resolution is included in any annual or supplemental budget
25 adopted by the Board. The resolution shall set forth facts
26 demonstrating the need for the borrowing, state an amount that

1 the amount to be borrowed will not exceed, and establish a
2 maximum interest rate limit not to exceed the maximum rate
3 authorized by the Bond Authorization Act or 9%, whichever is
4 less. The resolution may direct the Comptroller or Treasurer of
5 the Board to make arrangements to set apart and hold the
6 portion of the anticipated moneys, as received, that shall be
7 used to repay the borrowing, subject to any prior pledges or
8 restrictions with respect to the anticipated moneys. The
9 resolution may also authorize the Treasurer of the Board to
10 make partial repayments of the borrowing as the anticipated
11 moneys become available and may contain any other terms,
12 restrictions, or limitations not inconsistent with the powers
13 of the Board.

14 For the purposes of this item (14), "financial institution"
15 means any bank subject to the Illinois Banking Act, any savings
16 and loan association subject to the Illinois Savings and Loan
17 Act of 1985, and any federally chartered commercial bank or
18 savings and loan association or government-sponsored
19 enterprise organized and operated in this State pursuant to the
20 laws of the United States.

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

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

24 (110 ILCS 690/35-45)

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

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

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

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

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

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

1 accordingly;

2 (6) To succeed to and to administer all trusts, trust
3 property, and gifts now or hereafter belonging or pertaining to
4 Western Illinois University;

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

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

15 (9) To contract with respect to the Cooperative Computer
16 Center to obtain services related to electronic data
17 processing;

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

23 (11) To appoint, subject to the applicable civil service
24 law, persons to be members of the Western Illinois University
25 Police Department. Members of the Police Department shall be
26 conservators of the peace and as such have all powers possessed

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

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

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

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

25 (13) To borrow money, as necessary, from time to time in
26 anticipation of receiving tuition, payments from the State of

1 Illinois, or other revenues or receipts of the University, also
2 known as anticipated moneys. The borrowing limit shall be
3 capped at 100% of the total amount of payroll and other expense
4 vouchers submitted and payable to the University for fiscal
5 year 2010 expenses, but unpaid at the State Comptroller's
6 office. Prior to borrowing any funds, the University shall
7 request from the Comptroller's office a verification of the
8 borrowing limit and shall include the estimated date on which
9 such borrowing shall occur. The borrowing limit cap shall be
10 verified by State Comptroller's office not prior to 45 days
11 before any estimated date for executing any promissory note or
12 line of credit established under this item (13). The principal
13 amount borrowed under a promissory note or line of credit shall
14 not exceed 75% of the borrowing limit. Within 15 days after
15 borrowing funds under any promissory note or line of credit
16 established under this item (13), the University shall submit
17 to the Governor's Office of Management and Budget, the Speaker
18 of the House of Representatives, the Minority Leader of the
19 House of Representatives, the President of the Senate, and
20 Minority Leader of the Senate, an Emergency Short Term Cash
21 Management Plan. The Emergency Short Term Cash Management Plan
22 shall outline the amount borrowed, the terms for repayment, the
23 amount of outstanding State vouchers as verified by the State
24 Comptroller's office, and the University's plan for
25 expenditure of any borrowed funds, including, but not limited
26 to, a detailed plan to meet payroll obligations to include

1 collective bargaining employees, civil service employees, and
2 academic, research, and health care personnel. The
3 establishment of any promissory note or line of credit
4 established under this item (13) must be finalized within 90
5 days after the effective date of this amendatory Act of the
6 96th General Assembly. The borrowed moneys shall be applied to
7 the purposes of paying salaries and other expenses lawfully
8 authorized in the University's State appropriation and unpaid
9 by the State Comptroller. Any line of credit established under
10 this item (13) shall be paid in full one year after creation or
11 within 10 days after the date the University receives
12 reimbursement from the State for all submitted fiscal year 2010
13 vouchers, whichever is earlier. Any promissory note
14 established under this item (13) shall be repaid within one
15 year after issuance of the note. The Chairman, Comptroller, or
16 Treasurer of the Board shall execute a promissory note or
17 similar debt instrument to evidence the indebtedness incurred
18 by the borrowing. In connection with a borrowing, the Board may
19 establish a line of credit with a financial institution,
20 investment bank, or broker/dealer. The obligation to make the
21 payments due under any promissory note or line of credit
22 established under this item (13) shall be a lawful obligation
23 of the University payable from the anticipated moneys. Any
24 borrowing under this item (13) shall not constitute a debt,
25 legal or moral, of the State and shall not be enforceable
26 against the State. The promissory note or line of credit shall

1 be authorized by a resolution passed by the Board and shall be
2 valid whether or not a budgeted item with respect to that
3 resolution is included in any annual or supplemental budget
4 adopted by the Board. The resolution shall set forth facts
5 demonstrating the need for the borrowing, state an amount that
6 the amount to be borrowed will not exceed, and establish a
7 maximum interest rate limit not to exceed the maximum rate
8 authorized by the Bond Authorization Act or 9%, whichever is
9 less. The resolution may direct the Comptroller or Treasurer of
10 the Board to make arrangements to set apart and hold the
11 portion of the anticipated moneys, as received, that shall be
12 used to repay the borrowing, subject to any prior pledges or
13 restrictions with respect to the anticipated moneys. The
14 resolution may also authorize the Treasurer of the Board to
15 make partial repayments of the borrowing as the anticipated
16 moneys become available and may contain any other terms,
17 restrictions, or limitations not inconsistent with the powers
18 of the Board.

19 For the purposes of this item (13), "financial institution"
20 means any bank subject to the Illinois Banking Act, any savings
21 and loan association subject to the Illinois Savings and Loan
22 Act of 1985, and any federally chartered commercial bank or
23 savings and loan association or government-sponsored
24 enterprise organized and operated in this State pursuant to the
25 laws of the United States.

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.