



Sen. William R. Haine

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LRB096 06697 MJR 32507 a

1 AMENDMENT TO SENATE BILL 642

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 642 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Southern Illinois University Management  
5 Act is amended by changing Section 8 as follows:

6 (110 ILCS 520/8) (from Ch. 144, par. 658)

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

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

12 2. To employ, and, for good cause, to remove a  
13 president of Southern Illinois University, and all  
14 necessary deans, professors, associate professors,  
15 assistant professors, instructors, and other educational  
16 and administrative assistants, and all other necessary

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

18 3. To prescribe the course of study to be followed, and  
19 textbooks and apparatus to be used at Southern Illinois  
20 University;

21 4. To issue upon the recommendation of the faculty,  
22 diplomas to such persons as have satisfactorily completed  
23 the required studies of Southern Illinois University, and  
24 confer such professional and literary degrees as are  
25 usually conferred by other institutions of like character  
26 for similar or equivalent courses of study, or such as the

1 Board may deem appropriate;

2 5. To examine into the conditions, management, and  
3 administration of Southern Illinois University, to provide  
4 the requisite buildings, apparatus, equipment and  
5 auxiliary enterprises, and to fix and collect  
6 matriculation fees; tuition fees; fees for student  
7 activities; fees for student facilities such as student  
8 union buildings or field houses or stadium or other  
9 recreational facilities; student welfare fees; laboratory  
10 fees and similar fees for supplies and material;

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

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

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

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

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

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

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

1 Southern Illinois University.

2 10.5. To conduct health care programs in furtherance of  
3 its teaching, research, and public service functions,  
4 which shall include without limitation patient and  
5 ancillary facilities, institutes, clinics, or offices  
6 owned, leased, or purchased through an equity interest by  
7 the Board or its appointed designee to carry out such  
8 activities in the course of or in support of the Board's  
9 academic, clinical, and public service responsibilities.

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

25 The Board of Trustees may own, operate, or govern, by  
26 or through the School of Medicine, a managed care community

1 network established under subsection (b) of Section 5-11 of  
2 the Illinois Public Aid Code.

3 12. The Board of Trustees may, directly or in  
4 cooperation with other institutions of higher education,  
5 acquire by purchase or lease or otherwise, and construct,  
6 enlarge, improve, equip, complete, operate, control and  
7 manage medical research and high technology parks,  
8 together with the necessary lands, buildings, facilities,  
9 equipment, and personal property therefor, to encourage  
10 and facilitate (a) the location and development of business  
11 and industry in the State of Illinois, and (b) the  
12 increased application and development of technology and  
13 (c) the improvement and development of the State's economy.

14 The Board of Trustees may lease to nonprofit corporations  
15 all or any part of the land, buildings, facilities,  
16 equipment or other property included in a medical research  
17 and high technology park upon such terms and conditions as  
18 the Board of Trustees may deem advisable and enter into any  
19 contract or agreement with such nonprofit corporations as  
20 may be necessary or suitable for the construction,  
21 financing, operation and maintenance and management of any  
22 such park; and may lease to any person, firm, partnership  
23 or corporation, either public or private, any part or all  
24 of the land, building, facilities, equipment or other  
25 property of such park for such purposes and upon such  
26 rentals, terms and conditions as the Board of Trustees may

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

12       13. To borrow money from time to time in anticipation  
13      of receiving tuition, payments from the State of Illinois,  
14      or other revenues or receipts of the University, also known  
15      as anticipated moneys; provided that the money shall be  
16      repaid within 18 months after the time the money is  
17      borrowed and the amount borrowed shall not exceed an amount  
18      outstanding at any one time in excess of 50% of the amount  
19      of the annual operating budget of the University last  
20      approved prior to the date of the initial borrowing. The  
21      borrowed moneys shall be applied to the purposes for which  
22      the anticipated moneys are lawfully available. The  
23      Chairman or Treasurer of the Board shall execute a  
24      promissory note or similar debt instrument to evidence the  
25      indebtedness incurred by the borrowing. In connection with  
26      a borrowing, the Board may establish a line of credit with

1       a financial institution.

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



1       restrictions, or limitations not inconsistent with the  
2       powers of the Board.

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

10       The powers of the Board as herein designated are subject to  
11       the Board of Higher Education Act.

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

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