



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 3514

2 AMENDMENT NO. _____. Amend Senate Bill 3514, AS AMENDED,
3 by inserting Article 25 in its proper numeric sequence as
4 follows:

5 "ARTICLE 25.

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

8 (110 ILCS 305/7) (from Ch. 144, par. 28)

9 Sec. 7. Powers of trustees.

10 (a) The trustees shall have power to provide for the
11 requisite buildings, apparatus, and conveniences; to fix the
12 rates for tuition; to appoint such professors and instructors,
13 and to establish and provide for the management of such model
14 farms, model art, and other departments and professorships, as
15 may be required to teach, in the most thorough manner, such

1 branches of learning as are related to agriculture and the
2 mechanic arts, and military tactics, without excluding other
3 scientific and classical studies. The trustees shall, upon the
4 written request of an employee withhold from the compensation
5 of 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
11 trustees shall transmit such withholdings to the specified
12 labor organization within 10 working days from the time of the
13 withholding. They may accept the endowments and voluntary
14 professorships or departments in the University, from any
15 person or persons or corporations who may offer the same, and,
16 at any regular meeting of the board, may prescribe rules and
17 regulations in relation to such endowments and declare on what
18 general principles they may be admitted: Provided, that such
19 special voluntary endowments or professorships shall not be
20 incompatible with the true design and scope of the act of
21 congress, or of this Act: Provided, that no student shall at
22 any time be allowed to remain in or about the University in
23 idleness, or without full mental or industrial occupation: And
24 provided further, that the trustees, in the exercise of any of
25 the powers conferred by this Act, shall not create any
26 liability or indebtedness in excess of the funds in the hands

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

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

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

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

24 The Trustees shall have power (a) to purchase real property
25 and easements, and (b) to acquire real property and easements
26 in the manner provided by law for the exercise of the right of

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

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

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

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

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

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

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

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

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

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

1 the North by Roosevelt Road; on the East by Union Street; and
2 on the South by 16th Street, in the City of Chicago:

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

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

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

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

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

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

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

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

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

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

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

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

1 (110 ILCS 520/8) (from Ch. 144, par. 658)

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

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

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

1 Illinois University, there shall be minority
2 representation, including women, on that search committee;

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

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

13 5. To examine into the conditions, management, and
14 administration of Southern Illinois University, to provide
15 the requisite buildings, apparatus, equipment and
16 auxiliary enterprises, and to fix and collect
17 matriculation fees; tuition fees; fees for student
18 activities; fees for student facilities such as student
19 union buildings or field houses or stadium or other
20 recreational facilities; student welfare fees; laboratory
21 fees and similar fees for supplies and material;

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

25 7. To accept endowments of professorships or
26 departments in the University from any person who may

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

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

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

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

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

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

13 10.5. To conduct health care programs in furtherance of
14 its teaching, research, and public service functions,
15 which shall include without limitation patient and
16 ancillary facilities, institutes, clinics, or offices
17 owned, leased, or purchased through an equity interest by
18 the Board or its appointed designee to carry out such
19 activities in the course of or in support of the Board's
20 academic, clinical, and public service responsibilities.

21 11. To administer a plan or plans established by the
22 clinical faculty of the School of Medicine for the billing,
23 collection and disbursement of charges for services
24 performed in the course of or in support of the faculty's
25 academic responsibilities, provided that such plan has
26 been first approved by Board action. All such collections

1 shall be deposited into a special fund or funds
2 administered by the Board from which disbursements may be
3 made according to the provisions of said plan. The
4 reasonable costs incurred, by the University,
5 administering the billing, collection and disbursement
6 provisions of a plan shall have first priority for payment
7 before distribution or disbursement for any other purpose.
8 Audited financial statements of the plan or plans must be
9 provided to the Legislative Audit Commission annually.

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

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

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

23 13. To borrow money, as necessary, from time to time in
24 anticipation of receiving tuition, payments from the State
25 of Illinois, or other revenues or receipts of the
26 University, also known as anticipated moneys. The

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

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

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

21 For the purposes of this item 13, "financial
22 institution" means any bank subject to the Illinois Banking
23 Act, any savings and loan association subject to the
24 Illinois Savings and Loan Act of 1985, and any federally
25 chartered commercial bank or savings and loan association
26 or government-sponsored enterprise organized and operated

1 in this State pursuant to the laws of the United States.

2 The powers of the Board as herein designated are subject to
3 the Board of Higher Education Act.

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

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

7 (110 ILCS 660/5-45)

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

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

13 (2) To employ, and, for good cause, to remove a President
14 of Chicago State University, and all necessary deans,
15 professors, associate professors, assistant professors,
16 instructors, other educational and administrative assistants,
17 and all other necessary employees, and to prescribe their
18 duties and contract with them upon matters relating to tenure,
19 salaries and retirement benefits in accordance with the State
20 Universities Civil Service Act. Whenever the Board establishes
21 a search committee to fill the position of President of Chicago
22 State University, there shall be minority representation,
23 including women, on that search committee. The Board shall,
24 upon the written request of an employee of Chicago State

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

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

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

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

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

9 (6) To succeed to and to administer all trusts, trust
10 property, and gifts now or hereafter belonging or pertaining to
11 Chicago State University;

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

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

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

25 (10) To provide for the receipt and expenditures of Federal
26 funds paid to Chicago State University by the Federal

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

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

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

26 (12) The Board may, directly or in cooperation with other

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

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

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

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

1 investment bank, or broker/dealer. The obligation to make the
2 payments due under any promissory note or line of credit
3 established under this item (13) shall be a lawful obligation
4 of the University payable from the anticipated moneys. Any
5 borrowing under this item (13) shall not constitute a debt,
6 legal or moral, of the State and shall not be enforceable
7 against the State. The promissory note or 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 20. The Eastern Illinois University Law is amended
9 by changing Section 10-45 as follows:

10 (110 ILCS 665/10-45)

11 Sec. 10-45. Powers and duties.

12 (a) The Board also shall have power and it shall be its
13 duty:

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

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

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

16 (3) To prescribe the courses of study to be followed,
17 and textbooks and apparatus to be used at Eastern Illinois
18 University.

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

26 (5) To examine into the conditions, management, and

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

18 (6) To succeed to and to administer all trusts, trust
19 property, and gifts now or hereafter belonging or
20 pertaining to Eastern Illinois University.

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

26 (8) To enter into contracts with the Federal government

1 for providing courses of instruction and other services at
2 Eastern Illinois University for persons serving in or with
3 the military or naval forces of the United States, and to
4 provide such courses of instruction and other services.

5 (9) To contract with respect to the Cooperative
6 Computer Center to obtain services related to electronic
7 data processing.

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

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

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

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

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

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

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

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

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

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

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

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

1 shall examine to assure compliance with this Law:

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

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

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

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

12 (110 ILCS 670/15-45)

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

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

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

1 Universities Civil Service Act. Whenever the Board establishes
2 a search committee to fill the position of President of
3 Governors State University, there shall be minority
4 representation, including women, on that search committee. The
5 Board shall, upon the written request of an employee of
6 Governors State University, withhold from the compensation of
7 that employee any dues, payments or contributions payable by
8 such employee to any labor organization as defined in the
9 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 Board
13 shall transmit such withholdings to the specified labor
14 organization within 10 working days from the time of the
15 withholding;

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

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

25 (5) To examine into the conditions, management, and
26 administration of Governors State University, to provide the

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

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

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

24 (8) To enter into contracts with the Federal government for
25 providing courses of instruction and other services at
26 Governors State University for persons serving in or with the

1 military or naval forces of the United States, and to provide
2 such courses of instruction and other services;

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

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

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

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

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

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

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

17 (13) To borrow money, as necessary, from time to time in
18 anticipation of receiving tuition, payments from the State of
19 Illinois, or other revenues or receipts of the University, also
20 known as anticipated moneys. The borrowing limit shall be
21 capped at 100% of the total amount of payroll and other expense
22 vouchers submitted and payable to the University for fiscal
23 year 2010 expenses, but unpaid at the State Comptroller's
24 office. Prior to borrowing any funds, the University shall
25 request from the Comptroller's office a verification of the
26 borrowing limit and shall include the estimated date on which

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

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

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

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

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

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

20 (110 ILCS 675/20-45)

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

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

1 University and its branches;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (13) To assist in the provision of lands, buildings, and
22 facilities that are supportive of university purposes and
23 suitable and appropriate for the conduct and operation of the
24 university's education programs, the Board of Trustees of
25 Illinois State University may exercise the powers specified in
26 subparagraphs (a), (b), and (c) of this paragraph (13) with

1 regard to the following described property located near the
2 Normal, Illinois campus of Illinois State University:

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

7 Parcels 2 and 3: Lands located in the Northeast Quadrant of
8 the City of Normal in McLean County, Illinois, one such
9 parcel consisting of approximately 150 acres located north
10 and east of the old Illinois Soldiers and Sailors
11 Children's School campus, and another such parcel, located
12 in the Northeast Quadrant of the old Soldiers and Sailors
13 Children's School Campus, consisting of approximately
14 1.03.

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

23 (b) The Board of Trustees may retain the proceeds from
24 the sale, lease, or other transfer of all or any part of
25 the above described parcels of real estate in the
26 University treasury, in a special, separate development

1 fund account that the Auditor General shall examine to
2 assure the use or deposit of those proceeds in a manner
3 consistent with the provisions of subparagraph (c) of this
4 paragraph (13).

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

22 (14) 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 (14). 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 (14), 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 (14) 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 (14) 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 (14) 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 (14) shall be a lawful obligation
20 of the University payable from the anticipated moneys. Any
21 borrowing under this item (14) 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 (14), "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. 91-396, eff. 7-30-99; 91-883, eff. 1-1-01.)

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

1 (110 ILCS 680/25-45)

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

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

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

1 contributions, and the Board shall transmit such withholdings
2 to the specified labor organization within 10 working days from
3 the time of the withholding;

4 (3) To prescribe the courses of study to be followed, and
5 textbooks and apparatus to be used at Northeastern Illinois
6 University;

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

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

1 employees of Northeastern Illinois University, shall be a
2 charge upon the State Treasury. All other expenses shall be
3 chargeable against students, and the Board shall regulate the
4 charges accordingly;

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

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

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

18 (9) To contract with respect to the Cooperative Computer
19 Center to obtain services related to electronic data
20 processing;

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

26 (11) To appoint, subject to the applicable civil service

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

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

23 (12) The Board may, directly or in cooperation with other
24 institutions of higher education, acquire by purchase or lease
25 or otherwise, and construct, enlarge, improve, equip,
26 complete, operate, control and manage research and high

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

1 or other occupants of any such park at rates which are
2 reasonable and appropriate;~~:-~~

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

1 amount of 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 limited
4 to, a detailed plan to meet payroll obligations to include
5 collective bargaining employees, civil service employees, and
6 academic, research, and health care personnel. The
7 establishment of any promissory note or line of credit
8 established under this item (13) must be finalized within 90
9 days after the effective date of this amendatory Act of the
10 96th General Assembly. The borrowed moneys shall be applied to
11 the purposes of paying salaries and other expenses lawfully
12 authorized in the University's State appropriation and unpaid
13 by the State Comptroller. Any line of credit established under
14 this item (13) shall be paid in full one year after creation or
15 within 10 days after the date the University receives
16 reimbursement from the State for all submitted fiscal year 2010
17 vouchers, whichever is earlier. Any promissory note
18 established under this item (13) shall be repaid within one
19 year after issuance of the note. The Chairman, Comptroller, or
20 Treasurer of the Board shall execute a promissory note or
21 similar debt instrument to evidence the indebtedness incurred
22 by the borrowing. In connection with a borrowing, the Board may
23 establish a line of credit with a financial institution,
24 investment bank, or broker/dealer. The obligation to make the
25 payments due under any promissory note or line of credit
26 established under this item (13) shall be a lawful obligation

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

23 For the purposes of this item (13), "financial institution"
24 means any bank subject to the Illinois Banking Act, any savings
25 and loan association subject to the Illinois Savings and Loan
26 Act of 1985, and any federally chartered commercial bank or

1 savings and loan association or government-sponsored
2 enterprise organized and operated in this State pursuant to the
3 laws of the United States.

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

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

7 (110 ILCS 685/30-45)

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

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

13 (2) To employ, and, for good cause, to remove a President
14 of Northern Illinois University, and all necessary deans,
15 professors, associate professors, assistant professors,
16 instructors, other educational and administrative assistants,
17 and all other necessary employees, and to prescribe their
18 duties and contract with them upon matters relating to tenure,
19 salaries and retirement benefits in accordance with the State
20 Universities Civil Service Act. Whenever the Board establishes
21 a search committee to fill the position of President of
22 Northern Illinois University, there shall be minority
23 representation, including women, on that search committee. The
24 Board shall, upon the written request of an employee of

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

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

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

21 (5) To examine into the conditions, management, and
22 administration of Northern Illinois University, to provide the
23 requisite buildings, apparatus, equipment and auxiliary
24 enterprises, and to fix and collect matriculation fees; tuition
25 fees; fees for student activities; fees for student facilities
26 such as student union buildings or field houses or stadia or

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

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

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

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

25 (9) To contract with respect to the Cooperative Computer
26 Center to obtain services related to electronic data

1 processing;

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

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

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

1 University and (ii) contains a unique identifying number. No
2 other badge shall be authorized by Northern Illinois
3 University;

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

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

10 (13) To assist in the provision of buildings and facilities
11 beneficial to, useful for, or supportive of university
12 purposes, the Board of Trustees of Northern Illinois University
13 may exercise the following powers with regard to the area
14 located on or adjacent to the Northern Illinois University
15 DeKalb campus and bounded as follows:

16 Parcel 1:

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

22 Parcel 2:

23 In Township 40 North, Range 4 East, of the Third Prime
24 Meridian, County of DeKalb, State of Illinois: On the
25 North, by a line beginning at the Northwest corner of the
26 Southeast Quarter of Section 15; thence East 1,903.3 feet;

1 thence South to the North line of the Southeast Quarter of
2 the Southeast Quarter of Section 15; thence East along said
3 line to North First Street; on the West by Garden Road
4 between Lucinda Avenue and the North boundary; thence on
5 the South by Lucinda Avenue between Garden Road and the
6 intersection of Lucinda Avenue and the South Branch of the
7 Kishwaukee River, and by the South Branch of the Kishwaukee
8 River between such intersection and easterly to the
9 intersection of such river and North First Street; thence
10 on the East by North First Street.

11 (a) Acquire any interests in land, buildings, or
12 facilities by purchase, including installments payable
13 over a period allowed by law, by lease over a term of such
14 duration as the Board of Trustees shall determine, or by
15 exercise of the power of eminent domain;

16 (b) Sublease or contract to purchase through
17 installments all or any portion of buildings or facilities
18 for such duration and on such terms as the Board of
19 Trustees shall determine, including a term that exceeds 5
20 years, provided that each such lease or purchase contract
21 shall be and shall recite that it is subject to termination
22 and cancellation in any year for which the General Assembly
23 fails to make an appropriation to pay the rent or purchase
24 installments payable under the terms of such lease or
25 purchase contracts; and

26 (c) Sell property without compliance with the State

1 Property Control Act and retain proceeds in the University
2 treasury in a special, separate development fund account
3 which the Auditor General shall examine to assure
4 compliance with this Act.

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

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

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

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

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

24 For the purposes of this item (14), "financial institution"
25 means any bank subject to the Illinois Banking Act, any savings
26 and loan association subject to the Illinois Savings and Loan

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

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

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

8 (110 ILCS 690/35-45)

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

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

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

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

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

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

21 (5) To examine into the conditions, management, and
22 administration of Western Illinois University, to provide the
23 requisite buildings, apparatus, equipment and auxiliary
24 enterprises, and to fix and collect matriculation fees; tuition
25 fees; fees for student activities; fees for student facilities
26 such as student union buildings or field houses or stadia or

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

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

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

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

25 (9) To contract with respect to the Cooperative Computer
26 Center to obtain services related to electronic data

1 processing;

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

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

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

1 (ii) contains a unique identifying number. No other badge shall
2 be authorized by Western Illinois University;

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

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

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

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

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

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

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

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