



Rep. Arthur L. Turner

Filed: 5/22/2007

09500HB2187ham001

LRB095 01256 NHT 36622 a

1 AMENDMENT TO HOUSE BILL 2187

2 AMENDMENT NO. _____. Amend House Bill 2187 by replacing
3 everything after the enacting clause with the following:

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

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

7 Sec. 7. Powers of trustees.

8 (a) The trustees shall have power to provide for the
9 requisite buildings, apparatus, and conveniences; to fix the
10 rates for tuition; to appoint such professors and instructors,
11 and to establish and provide for the management of such model
12 farms, model art, and other departments and professorships, as
13 may be required to teach, in the most thorough manner, such
14 branches of learning as are related to agriculture and the
15 mechanic arts, and military tactics, without excluding other
16 scientific and classical studies. The trustees shall, upon the

1 written request of an employee 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
8 trustees shall transmit such withholdings to the specified
9 labor organization within 10 working days from the time of the
10 withholding. They may accept the endowments and voluntary
11 professorships or departments in the University, from any
12 person or persons or corporations who may offer the same, and,
13 at any regular meeting of the board, may prescribe rules and
14 regulations in relation to such endowments and declare on what
15 general principles they may be admitted: Provided, that such
16 special voluntary endowments or professorships shall not be
17 incompatible with the true design and scope of the act of
18 congress, or of this Act: Provided, that no student shall at
19 any time be allowed to remain in or about the University in
20 idleness, or without full mental or industrial occupation: And
21 provided further, that the trustees, in the exercise of any of
22 the powers conferred by this Act, shall not create any
23 liability or indebtedness in excess of the funds in the hands
24 of the treasurer of the University at the time of creating such
25 liability or indebtedness, and which may be specially and
26 properly applied to the payment of the same. Any lease to the

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

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

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

1 research and high technology park upon such terms and
2 conditions as the University of Illinois may deem advisable and
3 enter into any contract or agreement with such nonprofit
4 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 University may deem advisable; and
11 may finance all or part of the cost of any such park, including
12 the purchase, lease, construction, reconstruction,
13 improvement, remodeling, addition to, and extension and
14 maintenance of all or part of such high technology park, and
15 all equipment and furnishings, by legislative appropriations,
16 government grants, contracts, private gifts, loans, receipts
17 from the operation of such high technology park, rentals and
18 similar receipts; and may make its other facilities and
19 services available to tenants or other occupants of any such
20 park at rates which are reasonable and appropriate.

21 The Trustees shall have power (1) ~~(a)~~ to purchase real
22 property and easements, and (2) ~~(b)~~ to acquire real property
23 and easements in the manner provided by law for the exercise of
24 the right of eminent domain, and in the event negotiations for
25 the acquisition of real property or easements for making any
26 improvement which the Trustees are authorized to make shall

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

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

1 against such properties if they were not exempt from taxation
2 under the Property Tax Code.

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

18 The Board of Trustees must authorize to each member of the
19 University of Illinois Police Department and to any other
20 employee of the University of Illinois exercising the powers of
21 a peace officer a distinct badge that, on its face, (i) clearly
22 states that the badge is authorized by the University of
23 Illinois and (ii) contains a unique identifying number. No
24 other badge shall be authorized by the University of Illinois.
25 Nothing in this paragraph prohibits the Board of Trustees from
26 issuing shields or other distinctive identification to

1 employees not exercising the powers of a peace officer if the
2 Board of Trustees determines that a shield or distinctive
3 identification is needed by the employee to carry out his or
4 her responsibilities.

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

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

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

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

26 (1) Acquire any interests in land, buildings, or

1 facilities by purchase, including installments payable
2 over a period allowed by law, by lease over a term of such
3 duration as the Board of Trustees shall determine, or by
4 exercise of the power of eminent domain;

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

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

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

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

17 (c) To assist in the provision of buildings and facilities
18 beneficial to, useful for, or supportive of University
19 purposes, the Board of Trustees of the University of Illinois
20 may do the following:

21 (1) acquire any interests in land, buildings, or
22 facilities by purchase, including installments payable
23 over a period allowed by law, by lease over a term of such
24 duration as the Board of Trustees shall determine,
25 including terms in excess of 10 years, or by exercise of
26 the power of eminent domain; and

1 (2) sub-lease or contract to purchase through
2 installments all or any portion of buildings or facilities
3 for such duration and on such terms as the Board of
4 Trustees shall determine, provided that each such lease or
5 purchase contract shall be and shall recite that it is
6 subject to termination and cancellation in any year for
7 which the General Assembly fails to make an appropriation
8 to pay the rent or purchase installments payable under the
9 terms of such lease or purchase contract.

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