



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2399

by Rep. Jeff Keicher

SYNOPSIS AS INTRODUCED:

110 ILCS 685/30-45

Amends the Northern Illinois University Law. Adds specified parcels not located on or adjacent to Northern Illinois University that the Board of Trustees may acquire, sublease or contract to purchase, or sell without compliance with the State Property Control Act and retain the proceeds in its development fund account. Provides that, in addition to other purposes, revenues from the development fund account may be withdrawn by the University for the purpose of repairs to existing campus facilities and infrastructure and professional services associated with planning and design. Removes provisions allowing revenues from the fund to be used for routine land and property acquisition, extension of utilities, streetscape work, landscape work, surface and structure parking, sidewalks, recreational paths, and street construction, and lease and lease purchase arrangements and the professional services associated with the planning and development of the area. Effective immediately.

LRB101 07235 AXK 52273 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

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

6 (110 ILCS 685/30-45)

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

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

12 (2) To employ, and, for good cause, to remove a President
13 of Northern Illinois University, and all necessary deans,
14 professors, associate professors, assistant professors,
15 instructors, other educational and administrative assistants,
16 and all other necessary employees, and to prescribe their
17 duties and contract with them upon matters relating to tenure,
18 salaries and retirement benefits in accordance with the State
19 Universities Civil Service Act. Whenever the Board establishes
20 a search committee to fill the position of President of
21 Northern Illinois University, there shall be minority
22 representation, including women, on that search committee. The
23 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 areas ~~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 Parcel 3:

12 That Part of Lot 4 in the Sears Business Park Subdivison,
13 being a subdivison of part of the East 1/2 of Section 31,
14 and that part of Section 32, and that part of the West 1/2
15 of Section 33, all in Township 42 North, Range 9, East of
16 the Third Principal Meridian and also that part of
17 fractional section 3, and fractional section 4, both in
18 Township 41 North, Range 9, East of the Third Principal
19 Meridian according to the plat thereof recorded March 7,
20 1991 as Document no. 91103116, in Cook County, Illinois,
21 More particularly described as follows: Commencing at the
22 Northwest corner of the northwest 1/4 of the southwest 1/4
23 of said section 32; thence south 89 ° 40' 15" East along
24 the North line of the Northwest 1/4 of the Southwest 1/4 of
25 said section 32, a distance of 164.57 feet to a point
26 thence South 0° 19' 45" West, a distance of 326.21 feet to

1 the Southerly right-of-way line boulevard "A" being also
2 point of beginning : Thence South 76°44'08" East, a
3 distance of 84.61 feet to a point of curvature: thence
4 southeasterly 267.01 feet along the arc of a circle, convex
5 to the southeast, having a radius of 3,550.00 feet and
6 whose chord of 266.95 feet bears South 78° 53'07" East to a
7 point; thence South 32°22'21" East, a distance of 374.66
8 feet to a point; thence South 73°35'18" west, a distance of
9 89.48 feet to a point; thence North 74°09'49" west, a
10 distance of 97.37 feet to a point; thence South 74°56'20"
11 West, a distance of 103.60 feet to a point; thence South
12 57°44'26" West, a distance of 150.18 feet to a point;
13 thence North 32°22'20" West, a distance of 346.61 feet;
14 thence North 13°15'53" East, a distance of 205.84 feet to
15 the point of beginning; Containing 169,817.1 sq. ft. or
16 3.8985 acres, more or less, all in Cook County, Illinois.

17 Parcel 4:

18 Part of Section Twenty-four (24), Township Forty-four (44)
19 North, Range Two (2) East of the Third (3rd) Principal
20 Meridian, bounded and described as follows, to-wit:
21 Commencing at the Northwest corner of the East Half of the
22 Northwest Quarter of said Section; thence South
23 00°-34'-13" West, along the West line of the East Half of
24 the Northwest Quarter of said Section, 2,646.48 feet to its
25 intersection with the Southwest corner of the East Half of
26 the Northwest Quarter of said Section; thence South

1 00°-32'-41" West, along the West line of the East Half of
2 the Southwest Quarter of said Section, 1,141.57 feet to its
3 intersection with the North Right-of-Way line for U.S.
4 Route 20 as now laid out and used; thence North 80°-25'-35"
5 East, along said North Right-of-Way line, 1,303.19 feet;
6 thence North 74°-42'-57" East, along said North
7 Right-of-Way line, (100.50 feet; thence North 80°-25'-35"
8 East, along said North Right-of-Way line.) 116.08 feet to
9 the point of beginning for the following described parcel;
10 thence North 09°-34'- 25" West, 533.87 feet; thence
11 Northeasterly, along a circular curve to the left having a
12 radius of 1,530.00 feet and whose center lies to the North,
13 an arc distance of 372.12 feet (the chord across the last
14 described circular curve course bears North 76°-09'-26"
15 East, 371.21 feet); thence Northeasterly, along a circular
16 curve to the right having a radius of 1,470.00 feet and
17 whose center lies to the South, an arc distance of 227.59
18 feet (the chord across the last described circular curve
19 course bears North 73°-37'-29" East, 227.36 feet); thence
20 Northeasterly, along a circular curve to the left having a
21 radius of 530.00 feet and whose center lies to the North,
22 an arc distance of 156.42 feet (the chord across the last
23 described circular curve course bears North 69°-36'-19"
24 East, 155.85 feet); thence South 11°-49'-08" East, 643.18
25 feet to its intersection with said North Right-of-Way line
26 for U.S. Route 20; thence South 80°-25'-35" West, along

1 said North Right-of-Way line, 190.29 feet; thence North
2 85°-32'-15" West, along said North Right-of-Way line,
3 103.08 feet; thence South 80°-25'-35" West, along said
4 North Right-of-Way line, 483.92 feet to the point of
5 beginning. Subject to the rights of the public and the
6 State of Illinois in and to those portions thereof taken,
7 used or dedicated for public road purposes. Situated in the
8 City of Rockford, the County of Winnebago and the State of
9 Illinois.

10 Parcel 5:

11 Lot 1 in Washington Commons Assessment Plat of Part of the
12 South 1/2 of Section 6, Township 38 North, Range 10, East
13 of the Third Principal, Meridian, according to the plat
14 thereof recorded October 21, 1996 as Document R96-172065,
15 in DuPage County, Illinois.

16 Parcel 6:

17 That part of Lots A and B of the C. M. Cheatham
18 subdivision, a Resubdivision of part of assessor's Lot 58
19 in Section 12, Township 40 North, Range 4, East of the
20 Third Principal Meridian, DeKalb County, Illinois,
21 described as follows: Commencing at the Southeast corner of
22 said Lot "A" (said corner being a point on the
23 Southeasterly line of said subdivision, said line being
24 labeled on the plat of said subdivision, the centerline of
25 Sycamore Road before relocation); Thence Northwesterly
26 along the South line of said Lot "A" 293.0 feet for a point

1 of beginning; thence Northwesterly along said south line,
2 253.54 feet to a point 60.36 feet Southeasterly of, as
3 measured along said South line, the most northerly corner
4 of said Lot "B"; thence westerly 53.38 feet to a point on
5 the west line of said Lot "B" that is 17.71 feet Southerly
6 of, as measured along said west line, the most Northerly
7 corner of said Lot B; thence Northeasterly along said west
8 line, 17.71 feet to the Southwest corner of said Lot "A";
9 thence Northeasterly along the west line of said Lot "A",
10 151.2 feet to the Northwest corner of said Lot "A"; thence
11 Southeasterly along the north line of said Lot "A", 414.9
12 feet to an angle point in said North line; thence
13 Southeasterly along said North line, 299.3 feet to said
14 Southeasterly line of said subdivision; thence
15 Southwesterly along said Southeasterly line, 15.4 feet;
16 thence Northwesterly parallel with said North line, 290.0
17 feet; thence Southwesterly, 252.85 feet to the point of
18 beginning.

19 Parcel 7:

20 Lot 10 and the East Half of Lot 9 in Woodlawn Acres, a
21 subdivision of a part of the Southeast Quarter of Section
22 14, Township 40 North, Range 4 East of the Third Principal
23 Meridian, according to the plat thereof recorded June 28th,
24 1948, as Document No. 213915, in Plat Book "G", Page 140,
25 in DeKalb County, Illinois.

26 Parcel 8:

1 That part of the vacated public alley which lies
2 Northeasterly of the Southwesterly line of Lot 11 of said
3 Woodlawn Acres extended Northwesterly to the Southeasterly
4 line of Lot 9.

5 Parcel 9:

6 Lot 11 in Woodlawn Acres, a subdivision of a part of the
7 Southeast Quarter of Section 14, Township 40 North, Range 4
8 East of the Third Principal Meridian, according to the plat
9 thereof recorded June 28th, 1948, as Document No. 213915,
10 in Plat Book "G", Page 140, in DeKalb County, Illinois.

11 Parcel 10:

12 That Part Of Lot 1002 Of The Anaconda Wire And Cable
13 Company Resubdivision Of part of Sections 29 And 32,
14 Township 41 North, Range 5, East of the Third Principal
15 Meridian, DeKalb County, Illinois, Described as follows:
16 Commencing at the Southeast Corner of said Lot 1002; Thence
17 Northerly along the Easterly Line of said Lot, 728.49 Feet
18 for a point of beginning; Thence continuing Northerly along
19 said Easterly Line, 180.00 Feet; Thence Westerly at an
20 angle of 93 Degrees 24 Minutes 33 Seconds measured
21 clockwise from said West line, 1,596.83 Feet to a point on
22 the West line of said Section 29 that is 863.41 Feet
23 Northerly of, as measured along said West Line, the
24 Southwest Corner of said Section 29; Thence Southerly at an
25 angle Of 79 Degrees 54 Minutes 40 Seconds measured
26 clockwise from the last described course along said West

1 line, 365.65 Feet; Thence Southeasterly at an angle of 100
2 Degrees 05 Minutes 20 Seconds measured clockwise from said
3 West line, 1,080.00 Feet; Thence Northeasterly at Right
4 Angles to the last described course, 150.00 Feet; Thence
5 Southeasterly at an angle of 93 Degrees 44 Minutes 48
6 Seconds measured counterclockwise from the last described
7 course, 463.97 Feet to the point of beginning, all in
8 Sycamore Township, DeKalb County, Illinois.

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

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

24 (c) Sell property without compliance with the State
25 Property Control Act and retain proceeds in the University
26 treasury in a special, separate development fund account

1 which the Auditor General shall examine to assure
2 compliance with this Act.

3 Any buildings or facilities to be developed on the land
4 shall be buildings or facilities that, in the determination of
5 the Board of Trustees, in whole or in part: (i) are for use by
6 the University; or (ii) otherwise advance the interests of the
7 University, including, by way of example, residential,
8 recreational, educational, and athletic facilities for
9 University staff and students and commercial facilities which
10 provide services needed by the University community. Revenues
11 from the development fund account may be withdrawn by the
12 University for the purpose of demolition and the processes
13 associated with demolition; repairs to existing campus
14 facilities and infrastructure, and professional services
15 associated with planning and design ~~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 by 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 the 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 the
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 for all
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. 96-909, eff. 6-8-10; 97-333, eff. 8-12-11.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.