

March 11, 2011



ALLIANCE LEGISLATIVE REPORT (97-7)

COMMITTEES WORK, DEADLINE APPROACHES

Committees worked steadily this week in the Capitol, considering which bills will be sent forward to the full legislative bodies for further deliberation. The panels are trying to slog through the bills, over 6,000 bills introduced between the Senate and House of Representatives, before the committee deadline next week. Senate bills must be approved by a Senate committee by next Thursday; House bills must be approved by a House committee by next Thursday. Once this deadline is reached, it makes for a much more manageable task in tracking the legislation.

PRIVATE SCHOOL VOUCHER BILL ADVANCES

The Senate Education Committee Tuesday approved a bill to establish a private school voucher program limited to certain students in the Chicago Public School (CPS) system. The bill is identical to last year's **SB 2494 (Meeks, D-Chicago)**.

This time it is **SB 1932 (Murphy, R-Palatine)**, the bill that creates the Illinois School Choice Program for CPS students in grades K-7. For students in a Chicago elementary school that is ranked within the lowest 10% of school in the district in terms of the percentage of students meeting or exceeding standards on the ISAT, they may apply for a voucher from the Illinois State Board of Education (ISBE) in the amount of up to Chicago's State share of the per pupil foundation level. This voucher then can be used at any non-public school in Chicago.

The Alliance opposes the legislation as the Alliance organizations have clear positions to oppose any legislation that diverts State funds to non-public schools. In this bill, the funds for paying for the vouchers will come out of the CPS share of State aid. If these State taxpayer funds are not to be received by CPS (as much as \$30 million is estimated), they should be re-directed into another fund for the State's public schools. Perhaps into the transportation reimbursement line item?

The bill is pending before the full Senate.

THE LATEST ON SCHOOL CONSOLIDATION

The issue of school consolidation, and possibly forced consolidation, is still an issue in the Capitol that is very much alive. Though a couple of proposals failed to advance out of committee last week, the concept of school consolidation is still a hot topic. Word from the Governor's office is that the Governor is still seriously looking into school consolidation – and it could well be without local input or legislative approval.

The Alliance continues to state that school management organizations are not opposed to consolidation, but that school reorganization must be done thoughtfully and with local input. To that end, the Alliance testified in the House Elementary and Secondary Education Committee this week regarding **HB 1216 (Chapa La Via, D-Aurora)**, the bill that would establish a "School District Realignment and Consolidation Commission". The Alliance supported the concept of studying the

issue, and was successful in having four appointments made to the commission – one from each of the Alliance organizations (IASB, IASA, IPA, IASBO).

Legislators on the committee Wednesday continued to clarify that no commission shall have the final word on any school district consolidation. A report from the commission would be submitted to the General Assembly, but before any required action would take place regarding school reorganization, specific legislation would have to be approved by the legislature. Alliance lobbyists also continue to communicate that a vote of the public must also be sought.

PENSION REFORM BILLS DO NOT ADVANCE

Though there were several pension reform bills scheduled for a committee hearing this week, none were called for a vote. The Senate Executive Committee's Sub-Committee on State Government Operations met Monday, but the pension bills posted that would affect current members of the Teachers' Retirement System (SB 29, SB 105) were not forwarded by the sponsors. The issue, however, remains on the front burner in the Capitol. At one point, however, **Senate President John Cullerton (D-Chicago)** proposed that the State might need to look into taxing retirement income as a potential revenue stream. Illinois is one of the few states that does not tax any retirement or pension income.

Likewise, the pension reform bills posted in the Senate Pension and Investments Committee and the House Personnel and Pensions Committee were not discussed this week.

The Illinois Auditor General has just published the latest financial information regarding the State's pension systems. This can be accessed at: <http://www.auditor.illinois.gov/Audit-Reports/Compliance-Agency-List/Retirement-Systems/RetSysSuppDig/FY10-RetSysSuppDigest.pdf>

OTHER BILL ACTION THIS WEEK

HB 147 (Dugan, D-Kankakee) allows a school district to require a school bus driver to undergo testing to check for alcohol or drugs if the district has reasonable suspicion to believe that a school bus driver permit holder is under the influence of such. **The bill was approved** by the House Transportation, Vehicle, and Safety Committee and was sent to the House floor for consideration.

HB 1130 (Sente, D-Lincolnshire), as amended, creates the Movable Soccer Goal Safety Act providing that the entity sponsoring the soccer program must ensure that the goal is properly anchored or eliminate the risk that the goal will inadvertently tip over by laying it forward onto its face or otherwise securing it from being used in its unanchored position. **The bill was approved** by the House Consumer Protection Committee and was sent to the House floor for further consideration.

HB 1138 (May, D-Highwood) provides that before new school zone speed limit signs may be erected, the principal of any schools within 2,000 feet of the proposed location of the new signs must be notified. **The bill, supported by the Alliance, was approved** by the House Transportation, Vehicle, and Safety Committee and was sent to the House floor for consideration.

HB 1197 (Davis, M., D-Chicago) requires all schools to adopt a policy that prohibits a student athlete from returning to play without a physician's authorization if the student athlete has suffered an injury and the coach suspects that the student might have a concussion. **The bill was approved** by the House of Representatives and will be sent to the Senate for further consideration.

HB 1600 (Ford, D-Chicago) prohibits food containing trans fats from being served by a food facility (including a school cafeteria) beginning January 1, 2013. **The bill, opposed by the Alliance, was approved** by the House Human Services Committee and was sent to the House floor for consideration.

HB 1670 (Burke, K., D-Oak Lawn) requires elected officials (including school board members) to successfully complete the training program provided by the Public Access Counselor regarding the Open Meetings Act. **The bill, opposed by the Alliance, was approved** by the House State Government Administration Committee and was sent to the House floor for consideration. A subsequent amendment will be added to remove the penalty provisions in the bill.

HB 1706 (Gabel, D-Evanston), regarding personnel reimbursement for children in hospital or home instruction, provides that a child qualifies for home or hospital instruction if it is anticipated that, due to a medical condition, the child will be unable to attend school and instead must be instructed at home or in the hospital for a period of 2 or more consecutive weeks or on an ongoing intermittent basis. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for consideration.

HB 1715 (Durkin, R-LaGrange) provides that a public body is not required to copy and make available for public inspection a public record that is published on the public body's website if the public body's Freedom of Information officer certifies that the online record is a true and accurate copy of the original record maintained by the public body. **The bill, supported by the Alliance, was approved** by the House Judiciary I – Civil Committee and was sent to the House floor.

HB 1716 (Durkin) authorizes a public body to charge a records requester for the actual cost of retrieving and transporting public records from an off-site storage facility when the those records are maintained by a third-party storage company that is under contract with that public body. **The bill, supported by the Alliance, was approved** by the House Judiciary I – Civil Committee and was sent to the House floor.

HB 3022 (Chap LaVia) contains the ISBE's recommended technical changes to the School Code and to delete obsolete provisions. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 3035 (Holbrook, D-Belleville) makes changes regarding transfer students who have parents serving in the military. **The bill was approved** by the House Armed Forces and Military Affairs Committee and was sent to the House floor for further consideration.

HB 3115 (Gordon, D-Peoria) subject to appropriation, authorizes the ISBE to provide annual funding to public school districts and State-recognized, non-public schools serving students in grades kindergarten through 12 for the purchase of secular textbooks. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor.

HB 3171 (Cavaletto, R-Salem), an Alliance initiative, adds the position of Assistant Principal in the School Code to assist the principal in the performance of various duties and responsibilities. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor for further consideration.

HB 3179 (Cavaletto) defines habitual truant as a student that misses 5% (instead of 10%) of the previous 180 regular attendance days. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor.

HB 3281 (Mathias, R-Buffalo Grove) provides that the gross disobedience or misconduct for which a school board may expel pupils includes that perpetuated by electronic means. **The bill was approved** by the House Elementary and Secondary Education Committee and was sent to the House floor.

HB 3487 (Morrison, R-Palatine) allows a school board to discontinue, by publicly adopted resolution, any instructional mandate in the Courses of Study Article of the School Code for which the school district does not receive a separate State appropriation. **The bill, supported by the Alliance, was discussed but no vote was taken** in the House Elementary and Secondary Education Committee.

SB 43 (Garrett, D-Lake Forest) creates the Taxation Disclosure Act to require all taxing bodies to report its tax rates annually to the Department of Revenue and requires the Department to create an online database to allow citizens to search for tax rates by zip code. **The bill was approved** by the Senate Revenue Committee and sent to the Senate floor for further consideration.

SB 150 (Raoul, D-Chicago), with the amendment, makes the bill substantially similar to HB 200 regarding school districts adopting a policy relating to concussions among student athletes. **The bill was approved** by the Senate Public Health Committee and was sent to the full Senate.

SB 1122 (Link, D-Vernon Hills) adds an employment discrimination prohibition that provides that it is a civil rights violation for any employer to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment on the basis of pregnancy, childbirth, or related medical conditions. **The bill was approved** by the Senate Labor Committee and was sent to the Senate floor for consideration.

SB 1559 (Koehler, D-Pekin) requires school boards to only purchase or lease driver education vehicles that have been assembled in the U.S.A. (Vehicle Identification Numbers that begin with the number one, the number four, or the number five). With opposition **led by the Alliance, the bill failed** to acquire the requisite number of votes and was held in the Senate Local Government Committee.

SB 1645 (Maloney, D-Chicago), as amended, makes changes to the Freedom of Information Act to allow a public body to respond to a vexatious request for records within 21 working days (instead of 5 business days) and adds other flexibility regarding the time, cost, and burden of such requests. **The bill, supported by the Alliance, was approved** by the Senate Executive Committee and sent to the Senate floor for further consideration.

SB 2073 (Link) provides that decisions of the Property Tax Appeal Board shall be made within 365 days after the date the appeal was received by the Board. Effective January 1, 2012. **The bill, supported by the Alliance, was approved** by the Senate Revenue Committee and sent to the Senate floor for further consideration.

SB 2096 (Althoff, R-Crystal Lake) repeals School Code provisions regarding the Illinois Accessibility Task Force. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

SB 2133 (Garrett, D-Highwood) removes a provision that requires the educational services block grant to include the Bilingual Program. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

SB 2143 (Sullivan, D-Quincy) provides that a reorganized school district or cooperative high school may use a school construction grant application that was submitted by one of the consolidating school districts if that application has not been entitled for a project by the ISBE and if specified conditions are met within the current or prior 4 (instead of 2) fiscal years. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

BILLS SCHEDULED FOR COMMITTEE NEXT WEEK

SENATE EDUCATION COMMITTEE

Tuesday, March 15, 3:00 p.m., Room 409, State Capitol

All of the bills that have previously been scheduled for a committee hearing, but have not yet been considered, are again posted for action in this week's committee. The entire list of bill postings can be found at:

<http://www.ilga.gov/senate/committees/hearing.asp?CommitteeID=909>

HOUSE ELEMENTARY AND SECONDARY EDUCATION COMMITTEE

Wednesday, March 16, 8:00 a.m., Room 114, State Capitol

All of the bills that have previously been scheduled for a committee hearing, but have not yet been considered, are again posted for action in this week's committee. The entire list of bill postings can be found at:

<http://www.ilga.gov/house/committees/hearing.asp?HearingID=8384&CommitteeID=887>

SENATE REVENUE COMMITTEE

Wednesday, March 16, 2:15 p.m., Room 400, State Capitol

SB 1737 (Jacobs, D-Moline) allows a school district, by referendum, to impose a sales tax within the district's boundaries with receipts earmarked for school facilities purposes.

SB 1772 (Maloney) allows school districts to adopt a property tax levy to recapture funding due to the impact of decisions of the Property Tax Appeal Board.

SB 1937 (Delgado, D-Chicago), an Alliance initiative, sets a 2% "floor" for the property tax cap law whereas the district's extension limitation may not be less than 2% even if the Consumer Price Index drops below that.

SB 2170 (Clayborne, D-E. St. Louis) makes changes to the School Facility Occupation Tax Law which allows counties to impose a sales tax with receipts earmarked for school construction. It requires the imposition of the sales tax if the voters approve the referendum (instead of allowing the county board to impose the sales tax) and requires the tax rate to be set forth in the question (instead of allowing the county board to impose the tax at a different rate. The bill also removes a sentence that provides that a backdoor referendum is not required for alternate bonds if the proceeds backing the

alternate bonds are realized from revenues obtained from the county sales tax. Finally, the bill states that a referendum is not required if the purchase, construction, or building of a school building is paid from funds received from the county sales tax.

HOUSE REVENUE COMMITTEE

Thursday, March 17, 8:00 a.m., Room 122B, State Capitol

HB 2846 (Verschoore, D-Milan) is identical to SB 2170 regarding the county sales tax for school construction.

HB 3104 (Tryon, R-Crystal Lake) will be amended with an Alliance initiative regarding school districts subject to the Property Tax Extension Limitation Law that have boundaries that cross into multiple counties. Within these occurrences, and when an EAV estimate is made by one of the counties affecting the General State Aid (GSA) of the district, the district can have an adjustment made to GSA to fix the calculation going forward.

The entire list of bill postings for this committee can be found at:

<http://www.ilga.gov/house/committees/hearing.asp?HearingID=8431&CommitteeID=973>

The legislative report is written and edited by the lobbyists of the Illinois Association of School Boards to provide information to the members of the organizations that comprise the Statewide School Management Alliance.

Alliance Legislative Reports:
Bill Text/Status: Illinois General Assembly

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