

# ICCTA ACTION ALERT

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March 7, 2008

*The Illinois General Assembly is in the midst of processing legislation introduced into the first house of action. Although House and Senate members continue to file bills, most legislation that will be considered during this spring session already has been introduced and assigned to a committee for further consideration.*

## GOVERNOR'S FISCAL YEAR 2009 BUDGET

On February 20, Gov. Rod Blagojevich announced his Fiscal Year 2009 budget to a joint session of the Illinois House of Representatives and the Illinois Senate. The Governor's \$49.7 billion budget, which calls for a 3.9 percent overall increase in spending, relies upon new revenues produced by a new casino tax, privatizing the State Lottery, and imposing a new tax on business to pay for a state-supported health care program. All of these new revenue sources have failed to be approved by the General Assembly in recent years.

The Governor's proposed budget recommends that community colleges receive the same amount of state funding that they received in FY 2008 – which was \$3 million less than FY 2007 funding. Community colleges are currently receiving **13 percent less** in state funding than they were in FY 2002. **Adjusted for inflation, community colleges are funded at the same level as they were in 1993.**

Since this budget proposal relies on three new revenue sources, speculation prevails that the Governor's level-funding budget for community colleges and other areas of government may not be sustained without approval of new taxes.

ICCTA has joined with groups representing community college presidents, faculty, administrators, and students to create the **Coalition for Community College Funding**. The Coalition held its first news conference prior to the Governor's budget address on February 20 and testified at the House Higher Education Appropriations Committee on February 28.

## STATEWIDE BUDGET HEARINGS SCHEDULED

In response to the Governor's budget proposal, House Democrats have scheduled 19 budget hearings in various parts of the state. Six of the hearings will be held at the following community college campuses: Parkland, McHenry, Morton, Kankakee, South Suburban, and Kennedy-King. The hearings will run March 10-27 and focus on the merits and impact of Gov. Blagojevich's FY 2009 proposed budget. Similar hearings were conducted last year regarding the FY 2008 state budget.

## ETHICS AND LOCAL CONTROL LEGISLATION FOR COMMUNITY COLLEGES

**House Bill 4189** (Prichard / Black) passed out of the House on February 22 on a vote of 91-11-1. This bill is identical to **HB 3504**, which the Governor vetoed last fall. **HB 4189** clarifies that community colleges are units of local government (rather than state agencies) covered under the local government provisions of the Ethics Act. The bill also clarifies that, with respect to the State Employees Ethics Act, community colleges are under the jurisdiction of local ethics commissions, not the State Executive Inspector General. Sen. Ed Maloney is the lead sponsor of **HB 4189** in the Senate, and several other senators have signed on as co-sponsors.

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**LEGISLATION OF INTEREST TO COMMUNITY COLLEGES**

**HB 4139                      Firearms for Campus Security Personnel (Chapa la Via)**

**ICCTA Position:        OPPOSE**

**Status:                    2<sup>nd</sup> reading in the House**

Amends the Criminal Code of 1961 to provide that it is unlawful for any governing body, state agency, county government, local municipality, or institute of higher learning that employs peace officers to prohibit a peace officer from carrying a firearm in the performance of his or her duties, unless the peace officer fails to qualify with the firearm, is declared unfit for duty, and is unable to be armed. ICCTA believes **HB 4139** removes decision-making authority from local boards.

**HB 4189                      Ethics Act - Community College Local Control (Pritchard / Maloney)**

**ICCTA Position:        SUPPORT**

**Status:                    Passed House 91-11-1; 1<sup>st</sup> reading in the Senate**

This ICCTA-initiated bill is identical to **House Bill 4330** (Turner) and **Senate Bill 1889** (Maloney). Amends the State Officials and Employees Ethics Act to clarify that community college districts are units of local government that must adopt resolutions regulating the political activities and the solicitation and acceptance of gifts by their officials and employees (now, classified as state agencies subject to the entire Act's regulation and enforcement by the Executive Ethics Commission and the Governor's Executive Inspector General).

**HB 4193                      Student Eligibility for Grants (Franks)**

**ICCTA Position:        SUPPORT**

**Status:                    2<sup>nd</sup> reading in the House**

Amends the Baccalaureate Savings Act. In a Section concerning the administration of a grant program, provides that while all grants awarded under the program are subject to annual appropriation of funds by the General Assembly, there shall be no expiration date placed on the grants and any person who is denied disbursement of a grant due to a lack of funding shall remain eligible for disbursement of that grant until such time as funding becomes available, provided that he or she properly applies for disbursement of the grant.

**HB4219                      Identity Protection Act (Munson)**

**ICCTA Position:        MONITOR**

**Status:                    Passed House 109-0; 1<sup>st</sup> reading in Senate**

This unfunded mandate creates the Identity Protection Act. Prohibits a state or local government agency from using an individual's social security number in certain ways, subject to various exceptions. Requires each state or local government agency to develop and implement an identity protection policy. Provides that any employee of a state or local government agency who intentionally violates the provisions of the Act is guilty of a Class A misdemeanor. Preempts the concurrent exercise of home rule powers. Amends the State Mandates Act to require implementation without reimbursement by the state.

**HB 4232                      Reorganization of ISBE Board (Lang)**

**ICCTA Position:        MONITOR**

**Status:                    2<sup>nd</sup> reading in the House**

Amends the Governor's Office of Management and Budget Act and the School Code. Provides that anything submitted by the State Board of Education to the Governor or the Governor's Office of Management and Budget under the Governor's Office of Management and Budget Act must also be submitted simultaneously to the General Assembly. Terminates the term of each member of the State Board of Education who is in office on the effective date of the amendatory Act and provides for new appointed members to take office. Provides for successors to be appointed for terms of 6 (instead of 4) years. Establishes a Nomination Panel to provide a list of nominees to the Governor for appointment to the State Board. Requires the Nomination Panel to recommend 27 nominees for appointment to the State Board. Provides that the Governor may choose only from these nominations, and, after reviewing the nominations, the Governor may select 9 nominees, including the chairperson, for appointment to the State Board, to be confirmed by the Senate.

**HB 4307 Minimum Bidding Threshold for School Districts (Eddy)**

**ICCTA Position:** SUPPORT if community colleges are included

**Status:** Assigned to House Elementary and Secondary Education Committee

Increases the minimum bidding threshold for school districts (except Chicago), from \$10,000 to \$25,000 or a lower amount as required by local board policy, for most common purchasing. Also increases from \$20,000 to \$50,000 the minimum bidding requirement for capital construction projects.

**HB 4567 Illinois State Scholars Study (Brady)**

**ICCTA Position:** MONITOR

**Status:** Assigned to House Higher Education Committee

Amends the Higher Education Student Assistance Act. Requires the Illinois Student Assistance Commission to conduct a study detailing in 2008 and 2009 (1) the number of students designated State Scholars, (2) the number of State Scholars who applied to state universities, and (3) the number of State Scholars who were denied admittance into the state universities to which they applied. Requires the Commission to submit a report to the General Assembly concerning the findings of the study and the Commission's recommendations on how to make state universities more accessible to State Scholars.

**HB 4621 Required Automatic University Admission (Davis)**

**ICCTA Position:** MONITOR

**Status:** Assigned to House Higher Education Committee

Amends various Acts relating to the governance of the public universities in Illinois. Subject to certain other admission requirements, requires a university to admit an applicant for admission to the university as an undergraduate student if the applicant graduated in one of the 2 school years preceding the academic year for which the applicant is applying for admission from an approved high school with a grade point average in the top 10% percent of the student's high school graduating class. Requires the university, after admitting the applicant, to review the applicant's record and any other factor the university considers appropriate to determine whether the applicant may require additional preparation for college-level work or would benefit from inclusion in a retention program.

**HB 4625 Inclusion of Textbook Costs in Illinois Veterans Grant (Stephens)**

**ICCTA Position:** OPPOSE unless fully funded

**Status:** 2<sup>nd</sup> reading in the House

Amends the Higher Education Student Assistance Act. With respect to the Illinois Veteran Grant program, provides that assistance (which is an entitlement that a public university or community college must honor) must include reimbursement for 50% of the costs of textbooks required to be purchased for courses taken at the university or community college.

**HB 4669 Community College Capital Construction (Lang)**

**ICCTA Position:** SUPPORT

**Status:** Assigned to House Higher Education Committee

Amends the Board of Higher Education Act and the Public Community College Act. Removes a provision that requires the Illinois Community College Board to submit its plan for capital improvements of non-instructional facilities to the Illinois Board of Higher Education. Requires the ICCB to develop a comprehensive community college plan. Removes a reference to IBHE's approval of a public community college's construction of a facility. **SB 2019 (Raoul)** is identical to **HB 4669** and is assigned to the Senate Higher Education Committee.

**HB 4770 Removes IBHE from Community College Budget Process (Lyons)**

**ICCTA Position:** MONITOR

**Status:** Assigned to House Higher Education Committee

Amends the Board of Higher Education Act and the Public Community College Act. Removes a provision that requires ICCB to submit its budget proposal to IBHE. Requires ICCB to submit its budget proposal to the Governor, the General Assembly, the Governor's Office of Management and Budget, and the Commission on Government Forecasting and Accountability.

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**HB 4858 Community College Construction Act (Joyce)**

**ICCTA Position: MONITOR**

**Status: Referred to House Rules Committee**

Creates the Community College Construction Act. Contains only a short title provision. **SB 2010** (Maloney) is identical to **HB 4858** and is assigned to the Senate Rules Committee.

**HB 5025 Community College Program Approval (Nekritz)**

**ICCTA Position: MONITOR**

**Status: Assigned to House Higher Education Committee**

With respect to public community colleges, requires the approval of the establishment of new units of instruction, research, and public service and the review of existing programs of instruction, research, and public service to be made by ICCB rather than IBHE. Requires ICCB to develop a comprehensive community college plan.

**HB 5074 Elimination of Obsolete Board Reorganization Language (Black)**

**ICCTA Position: SUPPORT**

**Status: Assigned to House Elections and Campaign Reform Committee**

This ICCTA-initiated legislation eliminates obsolete election language from the Illinois Public Community College Act. The eliminated language refers to the nonpartisan local community college board elections that occurred in November of odd-numbered years and the transition period that was in place to establish the current April election cycle.

**HB 5164 Emergency Use of Community College Buildings (Yarbrough)**

**ICCTA Position: MONITOR**

**Status: Assigned to House Higher Education Committee**

Provides that the board of trustees of a community college district has the power to make the buildings of a community college available for emergency purposes, upon the request of the Illinois Emergency Management Agency or the state-accredited emergency management agency with jurisdiction, and to cooperate in all matters with the IEMA, local emergency management agencies, state-certified, local public health departments, and federal agencies concerned with emergency preparedness and response. Currently the board has the power to make the buildings of a community college available for use as civil defense shelters for all persons and to cooperate with the IEMA local organizations for civil defense, and federal agencies concerned with civil defense in all matters.

**HB 5911 \$10 Million for ICCB Manufacturing and Workforce Development Curricula (Rose)**

**ICCTA Position: SUPPORT**

**Status: Referred to House Rules Committee**

Appropriates \$10 million to ICCB for manufacturing and workforce development curricula.

**SB 437 \$1,000 State Scholars Grants (Maloney)**

**ICCTA Position: SUPPORT**

**Status: Passed House 58-0 and Senate 106-0-9; sent to Governor**

Amends the Higher Education Student Assistance Act. Provides that, subject to appropriation, each State Scholar who enrolls or is enrolled in an institution of higher learning in this state shall also receive a one-time grant of \$1,000 to be applied to tuition and mandatory fees and paid directly to the institution of higher learning. Provides that a student who has been awarded a Merit Recognition Scholarship under the Act may not be awarded a grant under the State Scholars program (although he or she may still be designated a State Scholar) and that a student who has received a grant under the State Scholar program is ineligible to receive a Merit Recognition Scholarship.

**SB 1908 MAP Grant Increase (Maloney)**

**ICCTA Position: MONITOR**

**Status: Assigned to Senate Higher Education Committee**

Provides that the maximum grant amount for the Monetary Award Program must not exceed \$5,468 for FY09, \$5,968 for FY10, and \$6,468 for FY11, and each fiscal year thereafter (instead of \$4,968). Provides that the maximum grant amount for students not subject to this provision must be increased by the same percentage as any increase made by law to such provision. Removes the provision that limits the grant amount to an amount that equals 2 semesters or 3 quarters tuition and fees.

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### **SB 1922 Extension of Cosmetology Licenses (Haine)**

**ICCTA Position:** MONITOR

**Status:** Assigned to Senate Licensed Activities Committee

Amends the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Changes the date after which the Department of Financial and Professional Regulation will not issue any new cosmetology clinic teacher, esthetic clinic teacher, or nail technology clinic teacher licenses from January 1, 2009 to January 1, 2011. Allows for the renewal and restoration of these clinic teacher licenses initially issued before January 1, 2011.

### **SB 1981 College Savings Plans (Clayborne)**

**ICCTA Position:** MONITOR

**Status:** 2<sup>nd</sup> Reading in Senate

Amends the Higher Education Student Assistance Act and the Illinois Income tax Act. Authorizes ISAC to establish systems and programs to encourage employers to match employee contributions to prepaid programs of college savings by making donations to the Commission for prepaid programs of college savings and its programs of grants and loans to make higher education affordable for all residents of the state and to receive, hold, and disburse all such funds made available through those programs for the purposes for which they are authorized by rule or by law. Creates an income tax credit for employers who, during the taxable year, makes a matching donation to ISAC on behalf of an employee. Provides that the credit is 25% of the matching donation, but not to exceed \$500 per employee. Provides that the credit may be carried forward for 3 taxable years. **HB 4579** and **SB 1981** contain similar language to **SB 1981**.

### **SB 1982 Cooperative Work Study Program Grants (Frerichs)**

**ICCTA Position:** SUPPORT

**Status:** 3<sup>rd</sup> Reading in Senate

Amends the Illinois Cooperative Work Study Program Act. Provides that grants to institutions of higher education under the Act shall support work experiences for students in academic program priority areas that address critical workforce skills shortages, including without limitation science, technology, engineering, mathematics, health, nursing, education, and other academic program priority areas as determined annually by IBHE (now, the Board is required to assure that a representative number of the grants support cooperative work study programs that support work experiences for students in academic programs of engineering, science, math, and education).

### **SB 2043 Community College Student Housing (Koehler)**

**ICCTA Position:** SUPPORT

**Status:** Assigned to Senate Higher Education Committee

Amends the Public Community College Act. Provides that the board of trustees of any community college district that encompasses, in whole or in part, 8 or more counties may provide or contract for residential housing for students and employees of the community college district, provided that local property tax revenue is not used. Makes a related change to the definition of "facilities". **HB 4547** (Schrock) is identical to **SB 2043** and has been referred to the House Rules Committee.

### **SB 2595 Inclusion of City Colleges of Chicago in College Insurance Program (Trotter)**

**ICCTA Position:** SUPPORT

**Status:** 2<sup>nd</sup> reading in Senate

Implements the Recommendations of the College Insurance Program Task Force. Increases the state's contribution to financing part of the program, creates an advisory committee and includes the City Colleges of Chicago in the plan. Beginning July 1, 2009, requires the Department of Central Management Services to administer a program of health benefits coverage for retirees, and their dependents, of certain community college districts previously not participating in the Community College Health Insurance Security Fund. Provides for the collection and use of contributions. Establishes a committee to advise the State on the program and necessary adjustments in funding sources. Amends the State Mandates Act to require implementation without reimbursement. **HB 5361** (Burke) is identical to **SB 2595** and has been referred to the House Rules Committee.

**\* For additional updates, call ICCTA at 1-800-454-2282 \***