

ICCTA ACTION ALERT

May 5, 2008

Last week's General Assembly action was highlighted by the Senate's vote on a constitutional amendment to recall certain elected officials. The measure failed to receive enough votes to pass, and therefore will not be placed on the November ballot for voter consideration. Last week also marked the first week of the session where legislation passed out of the first house was scheduled for hearings in the second house. Lawmakers are scheduled to return to Springfield today. Although the General Assembly is scheduled to adjourn on May 29, many legislators predict that a very long session is likely.

FISCAL YEAR 2008 AND 2009 BUDGETS

On February 20, Gov. Rod Blagojevich announced his Fiscal Year 2009 budget proposal 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. To date, none of these proposed revenue sources have received serious consideration by lawmakers.

The Governor's proposed FY09 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.**

Community colleges have received word from the Governor's Office of Management and Budget (GOMB) that the transferring or "sweeping" of unexpended dollars from many of the state's special purpose funds into the state's General Revenue Fund (GRF) will be necessary to sustain **current FY08** funding levels. The GOMB warns that if the General Assembly does not approve fund "sweeps," community colleges could sustain a \$25 million budget reduction before June 30. Although the Senate has approved a measure to authorize fund sweeps, the House has not.

During ICCTA's Lobby Day on April 30, ICCTA President Kathy Wessel appeared with Terry Bruce (Presidents Council) and Perry Buckley (Cook County College Teachers Union, Local 1600) before the House Higher Education Appropriations Committee. Representing the **Community College Coalition for Funding**, the three leaders appeared before the committee at the special invitation of House Speaker Michael Madigan's staff in order to present an FY09 budget recommendation on behalf of the community college system. They recommended that the Illinois Board of Higher Education's funding request of a 6.9 percent increase (or \$30 million) for community colleges be adopted. This funding recommendation is the first FY09 request received by the Higher Education Appropriations Committee this year and may mark the beginning of budget discussions.

ETHICS AND LOCAL CONTROL LEGISLATION

House Bill 4189 Ethics Act - Community College Local Control (Pritchard / Maloney)

ICCTA Position: SUPPORT

Status: Passed House 91-11-1; Assigned to Senate Executive Committee

This ICCTA-initiated bill 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).

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OTHER LEGISLATION OF INTEREST TO COMMUNITY COLLEGES

HB 1434 Baccalaureate Degree Program at Harper College (Crespo / Kotowski)
ICCTA Position: MONITOR
Status: Passed the House 69-48-0; Assigned to Senate State Government and Veterans Affairs Committee

Provides that William Rainey Harper College may create a pilot baccalaureate program under which the district may establish and offer bachelor's degrees in two fields of study if: (1) the degree programs do not compete with any nearby public university; (2) the district identifies and documents unmet workforce needs; (3) the degree programs do not require any additional funding from local taxes or the State; (4) the Illinois Community College Board and the Board of Higher Education approve the offering of the degree programs; (5) the pilot programs expire 4 years after the initial offering of the degree programs, unless otherwise extended by law; and (6) the public universities in this State have the right of first refusal to offer the baccalaureate degree programs on the community college campus in a manner that is mutually agreeable between the district and the university.

HB 4139 Firearms for Campus Security Personnel (Chapa la Via)
ICCTA Position: OPPOSE
Status: 3rd reading in the House

Amends the Criminal Code of 1961 to provides 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 4193 Student Eligibility for Grants (Franks)
ICCTA Position: SUPPORT
Status: Passed the House 111-0-0; Assigned to Senate Rules Committee

Amends the Baccalaureate Savings Act. Provides that while all grants awarded under the program are subject to annual appropriation 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.

HB 4219 Identity Protection Act (Munson)
ICCTA Position: MONITOR
Status: Passed House 109-0; Assigned to Senate Rules Committee

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: Passed the House 86-21-0; Assigned to Senate Rules Committee

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 six (instead of four) 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 nine nominees, including the chairperson, for appointment to the State Board, to be confirmed by the Senate.

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HB 4567 Illinois State Scholars Study (Brady)**ICCTA Position: MONITOR****Status: Passed the House: 115-0-0; Rules Committee in the Senate**

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 4625 Inclusion of Textbook Costs in Illinois Veterans Grant (Stephens)**ICCTA Position: OPPOSE unless fully funded****Status: 2nd reading in the House**

Provides that assistance under the Illinois Veterans Grant program (which is an entitlement that a public university or community college must honor) must include reimbursement for 50 percent of the costs of textbooks required to be purchased for courses taken at the university or community college.

HB 5074 Elimination of Obsolete Board Reorganization Language (Black)**ICCTA Position: SUPPORT****Status: Passed the House 109-0-0; Assigned to Senate Higher Education 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: Passed the House 110-0-0; Assigned to Senate Rules 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.

Senate Bill 437 \$1,000 State Scholars Grants (Maloney)**ICCTA Position: SUPPORT****Status: Passed House 58-0 and Senate 106-0-9; Signed by the Governor as Public Act 95-715**

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: Passed Senate Higher Education Committee 8-0; 3rd reading in the Senate**

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 1981 College Savings Plans (Clayborne)

ICCTA Position: MONITOR

Status: Passed the Senate 50-0-0; Assigned to House Rules Committee

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. 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 three taxable years.

SB 1982 Cooperative Work Study Program Grants (Frerichs)

ICCTA Position: SUPPORT

Status: Passed the Senate 55-0-0; Assigned to House Rules Committee

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 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: Referred to Senate Rules Committee

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 2293 Increase in Minimum Bidding Threshold (Maloney)

ICCTA Position: SUPPORT

Status: Passed the Senate 55-0-0; Assigned to House Rules Committee

ICCTA requested this legislation, which amends the Public Community College Act and the School Code to increase the minimum bidding threshold from \$10,000 to \$25,000 to determine when certain contracts are required to go through be bid. Increases the minimum bidding threshold with respect to contracts for repair, maintenance, remodeling, renovation, or construction or a single project from \$15,000 to \$50,000.

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

ICCTA Position: SUPPORT

Status: Passed the Senate 35-16-0; Assigned to House Rules Committee

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. 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.

SB 2690 In-district Exceptions from Lowest Bid (Maloney / McCarthy)

ICCTA Position: SUPPORT

Status: Passed the Senate 54-00-0; Assigned to House Higher Education Committee

Adds an exception for any contract for which the board of trustees, by a vote of two-thirds of its members then holding office, authorizes a contract preference to a bidder other than the lowest responsible bidder, provided that the preferred bidder (i) has submitted a bid that is no more than 5 percent higher than the lowest bid, (ii) has its principal place of business within the district, and (iii) is otherwise responsible and the award of the contract is accompanied by a specific finding of the reason for such an award in the minutes of the board meeting in which the contract is awarded.

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