

## Illinois Community College Trustees Association **ACTION ALERT**

August 1, 2017

### Update on **Senate Bill 1** (K-12 school funding)

Both the Illinois House and Senate are again in Springfield this week for a special session called by Gov. Bruce Rauner. A substantive solution is still needed to allow education dollars already appropriated to flow to K-12 schools for the beginning of the 2017-2018 school year. Without a new funding formula, general state aid to schools cannot be distributed, and some schools may face financial difficulties opening or staying open after summer vacation.

**Senate Bill 1** changes the current formula by which state dollars are distributed to elementary, high school, and unit school districts. The old formula (a “foundation level” approach) was highly complex. Under SB 1, new dollars would be distributed on an “evidence based model” and go to the neediest districts first, starting with the amount of funding the district had in Fiscal Year 2017. All new state funding going forward would be on top of what districts currently receive. No school districts would receive less state money than they received in FY 17.

The FY 18 state budget appropriated more money than last year for K-12 school districts, but included language that requires those dollars to be distributed by an “evidence based model.” That language creates the basis for the disagreement between the legislature and the Governor.

SB 1 passed the Senate by a 35-18-03 vote on May 17. The House amended the bill and passed amended legislation on May 31 by a vote of 60-52-0. On the last day of regular session (May 31), the Senate agreed with the House amendments by a vote of 35-22-0. However, using a parliamentary procedure, a Senator filed a motion that kept the bill in the Senate, likely buying time to negotiate before sending the bill to the Governor’s desk. Yesterday (July 31), the Senate withdrew the parliamentary motion and sent the bill to the Governor for his consideration.

This morning (August 1) the Governor amendatorily vetoed SB 1 by making a number of changes, including removing sections that would provide state funds for Chicago Public School teacher pensions and a block grant of funds to CPS. The bill now returns to the General Assembly, where lawmakers can take any of several actions:

- 1) The legislature could take no action, which would result in SB 1 failing to become law; or
- 2) The legislature could accept the Governor’s changes, which would only require a simple majority vote in both chambers -- 30 in the Senate and 60 in the House; or
- 3) The legislature could attempt to override the Governor’s changes, which would require an extraordinary majority in both chambers -- 36 votes in the Senate and 71 votes in the Senate.

If the General Assembly attempts to override Gov. Rauner’s amendatory veto, the extraordinary majorities might be difficult to obtain given the original votes in each chamber. If an override is attempted, both chambers must vote to override the amendatory veto or the bill dies. Republican votes would be required in the House to override the Governor.

Gov. Rauner's use of an amendatory veto to make significant changes to a bill might be argued as a controversial use of veto powers. The Illinois Constitution allows the Governor to amendatorily veto a bill to make legislative changes to a bill, but there are legal limitations on the types of changes allowed. The General Assembly has ruled in past years that an amendatory veto should be technical in nature and cannot change the intent of the bill. Some may argue that Gov. Rauner's amendatory veto changes the intent of the bill by removing language that would channel funds to the Chicago Public Schools system.

Until something is done to move Illinois to an "evidence based model" of funding, no state funds will be distributed to K-12 schools at all, perhaps rendering many schools unable to open or remain open in the fall.



**Illinois Community College Trustees Association**

**Office:** 1-800-454-2282

**Fax:** 217-528-8662

**Email:** [iccta@communitycolleges.org](mailto:iccta@communitycolleges.org)

**Website:** [www.communitycolleges.org](http://www.communitycolleges.org)

