



ALLIANCE LEGISLATIVE REPORT (95-66)

CONSTITUTIONAL AMENDMENTS DEFEATED

Both the Senate and the House of Representatives this week debated possible amendments to the Illinois Constitution. In order for such a proposal to be placed on the ballot in November for voters to decide, both chambers must approve the measure by a 3/5 vote no later than May 4. The legislative resolution to change the constitution must be read into the record on three separate days in both the House and the Senate. With those constraints, it looks as though voters will be given nothing to consider this November.

PROGRESSIVE INCOME TAX

The current Illinois State Constitution states that “A tax on or measured by income shall be at a non-graduated rate”. This requires the State income tax to be a flat rate and not a progressive tax. **Senate Joint Resolution Constitutional Amendment 92 (Frerichs, D-Champaign)** would strike the prohibitive language from the constitution and, therefore, allow for a graduated income tax in Illinois. However, **the Senate this week defeated** SJRCA 92 on a vote of 19-35. A similar proposal (HJRCA 42) was defeated in the House earlier in April.

RECALL OF ELECTED OFFICIALS

The House of Representatives approved a resolution (**HJRCA 28**) last month to allow voters to recall some elected officials. This measure, however, was bottled up in the Senate Executive Committee. This week a Senate version of a recall provision emerged – **SJRCA 70 (Cronin, R-Elmhurst)**. While the House version only allowed for recall of the constitutional officers (Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, and Comptroller) and members of the General Assembly, the Senate version goes further. SJRCA 70 would allow for recall of constitutional officers, members of the General Assembly, and “salaried elected officers of a unit of local government”. This would include judges, county officers, municipal officers, etc. School board members would not be included in the recall provision as they receive no compensation.

However, **SJRCA 70 was defeated on the Senate floor** Thursday on a vote of 33-19-2. Thirty-six votes were required for passage.

LEGISLATIVE REDISTRICTING

The current practice of drawing a name from a hat to see who gets to draw new legislative boundaries would come to an end under **HJRCA 44 (Brosnahan, D-Oak Lawn)**. The resolution proposes to change the Illinois Constitution to allow for a non-partisan panel to draw the new legislative boundaries if the legislature deadlocks. The resolution **was approved by the House** on Tuesday on a 98-10 vote. **The resolution has been held** in the Senate Rules Committee.

Here is how the process works now. Every 10 years following the census, the legislative boundaries must be adjusted to reflect population shifts (and to comply with the “one man-one vote” standard). The political party in power at that time attempts to draw boundaries that will give the best advantage to its legislative candidates and to increase its majority hold for the ensuing 10 year period. The minority party, as you might guess, objects to the new boundaries and there is deadlock. The Constitution states that a commission is then created to draw the new maps – a commission consisting

of an even number of people from each political party. If there is still deadlock (and there always is), one more person is added to the commission to tip the scale toward one political party. The name, according to our Constitution, is drawn “by random selection” – it is literally picked out of a bowl. Or as in 2000, out of Abraham Lincoln's hat.

APPROPRIATIONS COMMITTEE TAKES TESTIMONY

The Alliance was invited by the House Speaker's office to provide testimony before the House panel that approves the yearly appropriation for the State Board of Education. Input was being sought regarding funding priorities of the Alliance organizations.

The Alliance was represented by Michael Jacoby, Executive Director of the Illinois Association of School Business Officials, and Guy Cahill, an administrator from Peoria Public Schools. Jacoby articulately highlighted the current plight of public schools and outlined the Alliance priorities in a tight budget year – the General State Aid formula (foundation level), special education, other mandated categorical grants, and school construction. Cahill offered specific challenges from a local school district perspective. Both cautioned against creating new programs or unfunded mandates this year.

SENATE ADDRESSES MANDATE WAIVERS

The Senate approved a resolution Thursday to deny or alter several specific mandate waiver requests by school districts. The measure now goes to the House of Representatives for consideration.

An amendment to **Senate Joint Resolution 90 (Lightford, D-Maywood)** proposes to deny the waiver requests regarding physical education submitted by Zion-Benton THSD 126 and Knoxville CUSD 202.

The resolution also proposes *to limit to one year* (instead of the five year waiver requested) the waivers regarding drivers' education submitted by: Naperville CUSD 203, Crystal Lake CHSD 155, St. Charles CUSD 303, West Chicago CHSD 94, Lyons THSD 204, Oak Park-River Forest HSD 200, Lake Park CHSD 108, Glenbard THSD 87, Aurora West USD 129, and Niles TCHSD 219.

SJR 90 would grant the request by Rockford SD 205 regarding average daily attendance calculations *for one year* instead of the five years requested; and the request by Midlothian SD 143 regarding substitute teachers *for one year* instead of the five years requested.

Finally, the resolution would cap drivers' education fee increases. Even though the following school districts requested to increase drivers' education fees for over \$300, the resolution would grant the waiver to allow the school districts to charge a fee of \$250. This would apply to: Chadwick-Milledgeville CUSD 399, Elmhurst SD 205, Orland Park CHSD 230, West Chicago CHSD 94, Jacksonville SD 117, and Rockford SD 205. However, Niles TCHSD 219 was approved for a drivers' education fee of \$350.

In order for the legislature to deny a mandate waiver request, both the House and the Senate must approve *the same resolution* that calls for denial of the request.

OTHER BILL ACTION THIS WEEK

HB 1054 (Verschoore, D-Rock Island) contains technical "clean-up" language to facilitate distribution of county sales tax revenues provided under PA 95-0675. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

HB 4456 (Harris, D-Chicago) creates the Commission on Children and Youth Act. The governor will appoint, among the members of the commission, at least one representative "from the field of education". The State Superintendent of Schools would also be a part of the commission. **The bill was approved** by the Senate Human Services Committee and was sent to the Senate floor.

HB 4471 (Dugan, D-Bradley) requires a school to notify the person enrolling a child that he/she must provide a certified copy (instead of a copy of the certified copy) of the child's birth certificate and requires the school to promptly make a copy of the certified copy of the child's birth certificate for its records and return the original certified copy to the person providing it. **The bill was approved** by the House of Representatives and was sent to the Senate for consideration.

HB 4527 (Lang, D-Chicago) increases the amount of certain grants from the State to public and school libraries. **The bill was approved** by the Senate State Government Administration Committee and was sent to the Senate floor for consideration.

HB 4705 (Currie, D-Chicago) allows for the continuation of the distribution of funds by the ISBE to achieve a goal of "Preschool for All Children" by removing certain provisions that limit this distribution to a time period from July 1, 2006 to June 30, 2008. **The bill was approved** by the Senate Education Committee and was sent to the Senate floor for consideration.

HB 4822 (Coulson, R-Glenview) makes changes regarding IEPs for students turning age 14 1/2 (or younger if determined appropriate by the IEP Team). **The bill was approved** by the House of Representatives and was sent to the Senate for consideration.

HB 4900 (Acevedo, D-Chicago) adds contracts providing for the transportation of pupils with special needs or disabilities to the list of exceptions to the requirement that certain contracts be awarded to the lowest responsible bidder. It provides that these contracts must be advertised in the same manner as competitive bids and awarded by first considering the bidder or bidders most able to provide safety and comfort for the pupils with special needs or disabilities, stability of service, and any other factors set forth in the request for proposal regarding quality of service, and then price. **The bill was approved** by the House of Representatives and was sent to the Senate for consideration.

BILLS SCHEDULED FOR HEARING NEXT WEEK

**At the writing of this report, committee schedules were not finalized. However, the following bills are likely to be considered in the Senate Education Committee next week.*

HB 1007 (Mautino, D-Spring Valley) provides that school service personnel certificates are renewable every 5 years and sets forth the requirements and procedures for renewal, including requiring the completion of at least 80 hours of continuing professional development.

HB 1141 (Jefferson, D-Rockford) requires the ISBE to establish and administer a program that provides stipends (of \$4,000 per year for five years) to teachers who choose to teach at hard-to-staff public schools in this State.

HB 2007 (Kosel, R-New Lenox) makes changes to the Alternative Teacher Certification Program.

HB 3361 (Mitchell,J., R-Sterling) allows for a maximum of 5 additional charter schools exclusively for truants or dropouts in Chicago if the limit on the number of charter schools that may operate at any one time in the rest of the State has not been reached.

HB 3406 (Hassert, R-Romeoville) requires the ISBE to rank school districts based on certain school construction priorities and notify each school district of its rank.

HB 4159 (Bassi, R-Palatine) requires school districts to periodically review their procurement procedures and specifications related to the purchase of products or supplies and their comprehensive waste reduction plan.

HB 4252 (Brady, R-Bloomington) provides that if an employee of a school district has made a report to DCFS under the Mandated Reporters Act involving the conduct of a current or former employee of the school district, and a request is made by another school district to provide information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for employment, the superintendent of the school district to which the request is being made must disclose to the requesting school district the fact that a report had been made.

HB 5717 (Coulson, R-Glenview) clarifies that any child who received a health examination before entering the fifth grade for the 2007-2008 school year is not required to receive an additional health examination before entering 6th grade in the 2008-2009 school year.

**The following bills are likely to be considered in the House Elementary and Secondary Education Committee next week:*

SB 2387 (Collins, D-Chicago) adds the processes of homeownership as part of the financial literacy component of consumer education.

SB 2500 (Demuzio, D-Carlinville) creates the new superintendent mentoring program, established by the ISBE.

SB 2512 (Link, D-Vernon Hills) requires school districts to provide in the school curriculum a 2 hour unit of instruction in grades 3-12 on internet safety to be taught at least once each school year.

SB 2907 (Demuzio) allows the regional superintendent of schools to increase fees for providing courses of instruction for school bus drivers.

**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.*