

# ICCTA ACTION ALERT

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Mid-March 2013

## SPRING 2013 SESSION BEGINS

*The 98<sup>th</sup> Illinois General Assembly is in the early stages of committee and floor schedules. Deadlines have now passed for the filing of legislation to be considered during the spring 2013 session. The Governor has delivered his recommendations to the General Assembly for a Fiscal Year 2014 budget, and the process is underway. The 2013 session appears to be taking on many of the unresolved issues of the 2012 session, where the state's dire financial circumstance dominated debate. Employee/retiree health insurance and pension reform/financing are the major issues impacting the state's FY14 budget.*

*The following is a listing of legislation that affects community colleges. The list does not contain all of the bills concerning pension or health insurance reforms; instead, it reflects that there are many such bills and a few of the higher-profile bills are mentioned. In addition, this list does not include the nearly 2,000 'shell bills' filed this year. (A shell bill is a bill that contains no content and can be amended in the future for any purpose.)*

### BILLS AFFECTING COMMUNITY COLLEGES

**House Bill 73**                      **State Health Insurance Contributions (Jakobsson)**  
**ICCTA Position:**                      **MONITOR**

Amends the State Employees Group Insurance Act of 1971. Provides that, beginning in FY15, contributions required for the basic program of group health benefits shall be calculated using a sliding scale that takes into account the following variables: (I) length of service, (ii) ability to pay, (iii) pension income, (iv) Medicare eligibility, and (v) whether an individual has made an election under a specific provision of the Illinois Pension Code. Prohibits these contributions from being less than the contributions paid for these benefits in FY14. Also makes technical changes. Effective July 1, 2014.

**Senate Bill 1**                      **Pension and Health Insurance Reform (Cullerton)**  
**HB 98**                                      **Pension and Health Insurance Reform (Nekritz)**  
**ICCTA Position:**                      **MONITOR**

Amends the State Employees Group Insurance Act of 1971. Shifts the costs of health insurance coverage for future employees of certain higher education institutions from the state to those higher education institutions. Creates a new health benefit program for those employees, once they become annuitants, and for their dependent beneficiaries. Terminates provisions providing for the ongoing transfer of funds from the General Revenue Fund to the Teacher Health Insurance Security Fund and the Community College Health Insurance Security Fund.

Amends the Illinois Pension Code. Requires certain employers to provide a tax-sheltered annuity retirement plan to eligible employees. Requires current members and participants to elect whether to maintain their current benefits in the state-funded retirement systems. Prohibits the state-funded retirement systems from accepting new members or participants. Changes the amount of the required state contributions to the state-funded retirement systems and, in the State Universities and Downstate Teacher Articles, shifts the liability for making those contributions to employers. Amends the State Pension Funds Continuing Appropriation Act. Terminates continuing appropriations from the General Revenue Fund to the Teacher Health Insurance Security Fund and the Community College Health Insurance Security Fund.



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**HB 105 Student Voter Registration Information (Chapa LaVia)**

**ICCTA Position: MONITOR**

Amends the Election Code. Provides that, for each even-numbered year that a general election is to be held, each public institution of higher learning shall send an electronic message to each student enrolled in the institution devoted exclusively to information on voter registration. Sets forth requirements concerning the content of the message and when it should be sent. Provides that the Board of Higher Education shall issue a notice to each public institution of higher learning of the requirements concerning the electronic message in August of each even-numbered year during which a general election is held. Amends the Board of Higher Education Act. Provides that the IBHE shall include specified information concerning college voter registration on its website. Effective January 1, 2014.

**HB 943 Expansion of FOIA to Associations (Yingling)**

**ICCTA Position: OPPOSE**

Amends the Freedom of Information Act. Specifies that the term "public body" includes any association of units of local government (including ICCTA) or any not-for-profit corporation with membership consisting of units of local government. Effective immediately.

**HB 983 Restriction on Use of Alternate Revenue Bonds (McSweeney)**

**ICCTA Position: OPPOSE**

Restricts the use of alternate revenue bonds and makes it easier to cause an election on the issue of bonding for a construction project. Reduces the requirements to cause a backdoor referendum to 5% of the registered voters in the governmental unit or 500 of those registered voters, whichever is less. This legislation could make bonding for capital construction projects more difficult for community colleges.

**HB 997 Concealed Carry of Firearms (Phelps)**

**ICCTA Position: MONITOR**

Creates the Family and Personal Protection Act. Provides that the Illinois State Police shall issue a license to a person to: (1) carry a loaded or unloaded handgun on or about his or her person, concealed or otherwise; (2) keep or carry a loaded or unloaded handgun on or about his or her person when in a vehicle; and (3) keep a loaded or unloaded handgun openly or concealed in a vehicle. Prohibits the carrying of the handgun in certain locations. Provides that the license shall be issued by the ISP within 30 days of receipt of a completed application and shall be valid throughout the state for a period of 5 years from the date of issuance. Provides for renewal of licenses. Establishes qualifications for licensees, certified firearms instructors, and instructor trainers. Provides for home rule preemption. Provides that the provisions of the Act are severable. Amends the Freedom of Information Act. Prohibits from inspection and copying information about applications for licenses to carry a handgun and about license holders contained in the database created by the Family and Personal Protection Act, except as authorized by that Act. Amends the State Finance Act and the Criminal Code of 2012 to make conforming changes.

**HB 1304 Pilot ISAC Loan Program at Wright College (Martwick)**

**ICCTA Position: MONITOR**

Amends the Higher Education Student Assistance Act. Subject to appropriation, requires the Illinois Student Assistance Commission to establish a pilot loan program for students enrolled at Wilbur Wright College. Provides that under the loan program, ISAC shall provide low-interest loans to individuals who are unemployed and are enrolled at the community college in a skilled labor retraining program. Provides that if a borrower completes the skilled labor retraining program and works for a trade union for a minimum of 5 years thereafter, the Commission shall, subject to appropriation, award a grant to that person in an amount equal to the amount that the person borrowed under the loan program plus any interest incurred on the amount borrowed.

**HB 1341 For-Profit Eligibility for MAP Grants (Sosnowski)**

**ICCTA Position: OPPOSE**

Amends the Higher Education Student Assistance Act. Provides that for the purpose of meeting the definition of "qualified institution" as used in provisions concerning the Monetary Award Program, a for-profit educational organization is an educational organization located in Illinois if the organization's main campus is physically located in Illinois.

**HB 2353**                      **In-District Tuition for Military Veterans (Cloonen)**  
**SB 2167**                      **In-District Tuition for Military Veterans (Hastings)**  
**ICCTA Position:**            **MONITOR**

Amends the Public Community College Act to provide that beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the board of trustees of the community college district shall deem that person an in-district resident and Illinois resident for tuition purposes. Amends various Acts relating to the governance of public universities in Illinois to provide that beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the corresponding Board of Trustees shall deem that person an Illinois resident for tuition purposes. Effective immediately.

**HB 2370**                      **Community College Ballot Measures (Pritchard)**  
**SB 1763**                      **Community College Ballot Measures (Frerichs)**  
**ICCTA Position:**            **SUPPORT**

These ICCTA-initiated bills make a minor change to serve as 'shell bills' that may be used for future ICCTA purposes. The bills amend the Public Community College Act to allow more than one public measure to be submitted on the same ballot, provides that no proposition that is substantially the same shall be submitted more than once every 3 (instead of 2) months, with exceptions.

**HB 2386**                      **Local Government Report Cards (Bradley)**  
**ICCTA Position:**            **MONITOR**

Amends the Property Tax Code. Provides that school districts and community college districts shall submit a Fiscal Responsibility Report Card to the State Comptroller and the county clerk of each county in which any part of the taxing district is located. Amends the Illinois Municipal Code. Provides that Tax Increment Financing Reports must be filed electronically with the Comptroller within 180 days after the close of the municipal fiscal year or as soon thereafter as the audit for the redevelopment project area for that fiscal year becomes available. Allows the Comptroller to grant extensions. Provides that the Comptroller may charge a municipality a fee if the Tax Increment Financing Report is not filed in a timely manner. Effective immediately.

**HB 2746**                      **Property Tax Freeze / Pension Plan (Sandack)**  
**ICCTA Position:**            **OPPOSE**

Amends the Property Tax Code to impose a 3-year freeze on tax levies by school districts and community college districts. Amends the Illinois Pension Code. In the General Provisions Article, creates a cash balance plan for new hires of the State Universities and Teachers' Retirement Systems and for certain Tier II participants. In the General Assembly, State Employee, State Universities, and Downstate Teacher Articles, increases the retirement age for certain Tier I members and participants. Makes other pension changes.

**HB 2910**                      **Expansion of Veterans Grants (Costello)**  
**ICCTA Position:**            **MONITOR**

Amends the Higher Education Student Assistance Act with respect to the Illinois Veteran Grant Program. Provides that a person is a qualified applicant for a grant if, among other qualifications, the person returned to this state within one year (instead of 6 months) after leaving federal active duty service or, if married to a person in continued military service stationed outside this state, returned to this state within one year (instead of 6 months) after his or her spouse left service or was stationed within this state.

**HB 2965**                      **Higher Education 25 Hours Transfer Core (Costello)**  
**ICCTA Position**            **SUPPORT (in concept)**

Amends the Board of Higher Education Act. Provides that IBHE shall require all public institutions of higher education to create, on or before July 1, 2014, a statewide core transfer library of at least 25 lower division courses across all public institutions of higher education that are transferable among all public institutions of higher education. Requires IBHE to establish policies and procedures to ensure such courses are accepted for transfer and treated as equivalent to similar courses at the receiving institutions. Requires IBHE to develop a policy to foster reverse transfer for any student who has accumulated enough hours in combination with at least one public community college and one public university in the prescribed courses sufficient to meet the community college's requirements to be awarded an associate's degree. Effective July 1, 2013.

**HB 2967                      IBHE Approval of Out-of-State Tuition (Smiddy)**

**ICCTA Position              MONITOR**

Amends the Board of Higher Education Act. Provides that IBHE may, in its discretion, consider and grant requests to approve institution-specific policies permitting the waiver of out-of-state tuition if an official request is made by the president or chancellor of a public institution of higher education and if the request is determined by the Board to be fiscally responsible and in accordance with the educational mission of the requesting institution (some elements of this bill are already in place). Effective July 1, 2013.

**HB 2988                      Trustee Subdistricts for College of DuPage (Pihos)**

**ICCTA Position              MONITOR**

ICCTA defers to the College of DuPage for the direction on this legislation. The bill amends the Public Community College Act to provide for the election of COD board of trustee members by trustee subdistrict rather than at large. Makes related changes.

**HB 3067                      Community College Bidding Adjustment (Bost)**

**SB 1746                      Community College Bidding Adjustment (Dillard)**

**ICCTA Position              SUPPORT**

This ICCTA legislation will be amended to limit the exemption originally proposed to an exception for contracts for the purchase of perishable foods and perishable beverages. Currently, the bill also amends the Public Community College Act to remove the exception for contracts for materials and work that have been awarded and revised due to unforeseen revisions not caused by the contractor.

**HB 3077                      Dropout Reengagement System (Evans)**

**ICCTA Position              MONITOR**

Creates the Statewide Dropout Reengagement System Act. Requires the State Board of Education to create a statewide dropout reengagement system to provide appropriate educational opportunities and access to services for students ages 16 to 21 years who have dropped out of high school or are not accumulating sufficient credits to reasonably complete a high school diploma in a public school before the age of 21 years. Provides that under the system, school districts may (i) enter into a model interlocal agreement with a public community college or other public entity to provide a dropout re-engagement program for eligible students of the district or (ii) enter into a model contract with a community-based organization to provide a dropout re-engagement program for eligible students of the district.

**HB 3127                      Early Voting at Community Colleges (Smiddy)**

**SB 1548                      Early Voting at Community Colleges (Manar)**

**ICCTA Position              SUPPORT**

This legislation put forward by the Illinois Presidents Council amends the Election Code to provide that each election authority shall conduct early voting in a high traffic location on the campus of a community college within the election authority's jurisdiction. Provides that provisions requiring early voting at public universities apply in all election years (instead of 2012 only), and eliminates the repeal of those provisions. Effective immediately.

**HB 3197                      Universities Tuition Restraint Incentives (Sosnowski)**

**ICCTA Position              MONITOR**

Provides that IBHE shall provide a total of \$5 million (subject to appropriation) in public university tuition restraint incentives to public universities that qualify. Provides that payments from the amount appropriated for public university tuition restraint incentives shall only be made to those public universities that certify to the Board on or before August 1, 2014 that the university's board of trustees did not adopt an increase in tuition and fee rates for resident undergraduate students after August 1, 2013 for the 2013-2014 academic year and that the board of trustees will not adopt an increase in tuition and fee rates for resident undergraduate students for the 2014-2015 academic year that is greater than 4 percent.

**HB 3322                      MAP Grant Student Counseling (Pritchard)**

**ICCTA Position              SUPPORT**

ICCTA supports the intent of this legislation with additional clarifying language. The bill provides, that as a condition of receiving or renewing a MAP grant, a recipient must agree to meet with a higher education institution's academic and financial advisors twice per semester. Requires the institution to report to ISAC on whether the recipient is meeting this condition. Effective July 1, 2013.

**HB 3345                      Extension of Veterans Grant to Spouses and Children (Wheeler)**

**ICCTA Position              OPPOSE**

Extends the unfunded burden for military grants to community colleges. Provides that a person who qualifies for an Illinois Veterans Grant, Illinois National Guard Grant, or Naval Militia Grant may relinquish his or her entitlement to the grant and instead transfer that entitlement to his or her spouse, natural child, legally adopted child, or step-child.

**HB 3378                      Dual Enrollment and Dual Credit Act (Taberes)**

**ICCTA Position              MONITOR**

Creates the Dual Enrollment and Dual Credit Act, requiring each school board of a school district that maintains a high school and each board of trustees of a community college district to establish a dual enrollment and dual credit option program under which potential or recent high school student dropouts may dually enroll in their home high school and the local community college in a dual credit program consisting of high school completion coursework and a community college credential, certificate, or degree program. Provides that students completing the program may obtain their high school diploma while obtaining a community college credential, certificate, or degree. Requires the Department of Employment Security to assist students who have successfully completed the program in securing a job upon the application of the student or the participating high school or community college. Requires ISBE to establish criteria for the program. Sets forth other program requirements. Provides for state funding.

**HB 3383                      Additional National Guard Grants (Costello)**

**ICCTA Position              MONITOR**

Provides that beginning with the 2013-2014 academic year, any person who has served over 10 years in the Illinois National Guard shall be awarded an additional grant to the state-controlled university or community college of his or her choice, consisting of an exemption from tuition and fees for not more than the equivalent of an additional 2 years of full-time enrollment, including summer terms. The FY 14 budget does not provide funding for this program.

**SB 1398                      Early Graduation Tuition Waiver (Dillard / Althoff)**

**ICCTA Position              MONITOR**

No funding is provided to create the Early Graduation Tuition Waiver Act, which would provide that if a student graduates from an Illinois high school that is recognized by ISBE in less than 4 school years, then he or she is entitled to receive a tuition waiver to an Illinois public university, with the length of the tuition waiver being equal to the difference between 8 semesters and the actual number of semesters the student was enrolled in grades 9 through 12. Provides that each year, ISBE shall receive and consider applications for these tuition waivers and award these tuition waivers to eligible applicants. Does not provide funding of tuition waivers.

**SB 1537                      Ineligibility of Non-Citizen Students for Benefits (Rose)**

**ICCTA Position              MONITOR**

Amends the Illinois Public Aid Code. Provides that a post-secondary student who is not a United States citizen and who is enrolled in an Illinois public university, college, or community college is ineligible for any public aid benefits provided under the Code. Prohibits a public university, college, or community college from counseling or providing information to such a student on how or where to apply for any public aid benefits provided under the Code.

**SB 1549 Elimination of For-Profit Eligibility for MAP Grants (Manar)**

**SB 1591 Elimination of For-Profit Eligibility for MAP Grants (Rose)**

**ICCTA Position SUPPORT**

Amends the Higher Education Student Assistance Act. With respect to the MAP Grant program, removes a provision that requires ISAC to determine the eligibility of and make grants to applicants enrolled at qualified for-profit institutions in accordance with specified criteria. Instead, prohibits the Commission from making grants to applicants enrolled at for-profit institutions.

**SB 1592 MAP Grant GPA Requirement (Rose)**

**ICCTA Position MONITOR**

ICCTA has concerns about this bill, which amends the MAP Grant provisions of the Higher Education Student Assistance Act. Provides that if a recipient of a grant is not permitted to continue attending a higher education institution because he or she is not earning the minimum grades needed to continue to attend the institution, then that person may not attend another institution the following academic year if he or she wants to receive a renewal of the grant. Provides that after one academic year of non-attendance has passed, the person is entitled to renewal of the grant upon enrolling at another institution; makes related changes.

**SB 1687 SURS Return to Work Rules (Biss)**

**ICCTA Position SUPPORT**

Amends the State Universities Article of the Illinois Pension Code. Delays by one year the implementation of the return to service provisions added by Public Act 97-968 last year. Authorizes an employer to notify the State Universities Retirement System that an annuitant is returning to service by providing the annuitant's rate of compensation and anticipated length of employment (now, an employer may give notice in that manner only if there is not a written employment contract).

**SB 1688 Community College Base Operating Grants (Biss)**

**ICCTA Position SUPPORT**

Amends the Public Community College Act. Make a ministerial change to adjust the way in which the square footage of a community college district increases the base operating grant to be allocated community college district. Effective immediately.

**SB 1692 Expansion of FOIA and Open Meetings Act to Associations (Althoff)**

**ICCTA Position OPPOSE**

Similar to **HB 943** (Yingling), the bill amends the Open Meetings Act and the Freedom of Information Act. Specifies, in both Acts, that the term "public body" includes any association of units of local government (including ICCTA), any not-for-profit corporation with membership consisting of units of local government, or any other entity with members consisting of units of local government irrespective of whether the entity is organized pursuant to the Illinois Constitution or any other law of this state (possibly including the Illinois Presidents Council).

**SB 1900 Higher Education Research Articles (Biss / Althoff)**

**ICCTA Position MONITOR**

Creates the Open Access to Research Articles Act. Provides that no later than 12 months after the effective date of the Act, each public institution of higher education shall develop an open access to research articles policy. Provides that all public institutions of higher education shall develop policies that provide for the submission, by all faculty employed by the public institution of higher education, to the employing institution of an electronic version of the author's final manuscript of original research papers upon acceptance by a scholarly research journal; the incorporation of certain changes and replacements regarding the manuscript; free online public access to the final peer-reviewed manuscripts or published versions upon publication; an irrevocable, worldwide copyright license granted by the author to the public; production of an online bibliography of all research papers that are publicly accessible; and long-term preservation of, and free public access to, published research articles.

**SB 2163 Military Leave for Higher Education Employees (Rose)**

**ICCTA Position MONITOR**

Although there may be requirements already in place, this bill amends the Military Leave of Absence Act to provide that any full-time employee of a public institution of higher education who is a member of any reserve component of the United States Armed Forces or of any reserve component of the Illinois State Militia shall be granted leave from his or her public employment for any period actively spent in military service.

**SB 2363 Application of State Act for Minority Selection to Community Colleges (Martinez)**

**ICCTA Position OPPOSE**

This bill could replace the local provisions for the Quality Based Selection (QBS) processes of selecting community college architects with the state law, even for locally funded construction projects. It also amends the Business Enterprise for Minorities, Females, and Persons with Disabilities Act to specify that a board of trustees of a community college district qualifies as a state university for the purposes of the Act. Amends the Local Government Professional Services Selection Act. Provides that a community college district does not qualify as a political subdivision for the purposes of the Act. Deletes a provision that exempted from the Act's notice, evaluation, and selection requirements those political subdivisions that have a satisfactory relationship for services with one or more firms.

**P ICCTA Lobby Day is May 1 in Springfield.**

**For information, contact 1-800-454-2282**

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