



The Legislature and the Schools

Governmental Affairs
Legislative Bulletin
217/782-6510

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Volume XIX, No. 13
January 7, 2002

This issue of The Legislature and the Schools reviews education-related bills that were acted upon during the Fall 2002 Veto Session.

You may access the General Assembly website for a variety of information available at the following web address: <http://www.legis.state.il.us>.

The Spring 2003 calendar is also attached.

APPROPRIATIONS

SB 2390 Trotter
[PA 92-856](#) Madigan, M. House Amendment #2 deletes everything and makes a supplemental appropriation of \$4,528,000 for a loan to the Hazel Crest S.D. 152.5 School Finance Authority. **Effective 12/6/02**

CAREER & TECHNICAL EDUCATION

HB 2271 Coulson
[PA 92-860](#) DeLeo Creates the Massage Licensing Act. Regulates the practice of massage therapy through licensure requirements. Amends the Regulatory Sunset Act to repeal the new Act on January 1, 2012. Makes changes in the definition of "massage." Adds additional practices to the list of exemptions to the Act. **The Governor's Amendatory Veto ensures that there will not be a period of time when massage therapists will not be licensed. Effective 1/3/03.**

FINANCE

HB 1264 Daniels
[PA 92-859](#) Philip Amends the Property Tax Code. In an assessment freeze provision for certain fraternal organizations, changes the description of an organization that is eligible for the freeze from one that was chartered in Illinois in July 1896 to one that was chartered in Illinois in February 1898. Provides for an assessment freeze, beginning in assessment year 2003, for a fraternal organization or its affiliated Illinois not-for-profit corporation chartered prior to 1920 that is exempt from taxation under certain provisions of the Internal Revenue Code concerning not-for-profit organizations and that meets certain other criteria. **Effective 1/3/03**

SB 912 Lightford
[PA 92-855](#) Lang Establishes a new Downstate Elementary District School Finance Authority Act to address the financial crises with the Hazel Crest School District. A School Finance Authority (SFA) may be created by the State Board of Education only for a period of five (5) days from the effective date of the legislation.

Provides a School Finance Authority established under this Act with the same general powers and duties currently provided to the Round Lake School Finance Authority pursuant to the Downstate School Finance Authority Act, including:

- A five member board appointed by the State Board of Education of which two must be representatives of the affected district;
- Authority to appoint a Chief Executive Officer, a Chief Education Officer and a Chief Financial Officer to manage the district;

- Ability to manage the district budget and finances, including negotiating contracts; and
- Ability to borrow and levy property taxes to retire such debt.

Provides additional powers beyond those given in current law, including:

- Ability to levy property taxes that the district is permitted to levy;
- Ability to receive a state loan if unable to secure private financing (\$4,000 per student) and to levy to repay that loan;
- Exempt from normal levy notice, hearing and timing requirements;
- Ability to recommend a plan for the consolidation, annexation, reorganization, or dissolution of the district directly to the State Board of Education. Such plan must be approved by all affected districts; and
- Ability to cancel the contract of the district Superintendent for cause and to cancel other non-collective bargaining contracts for insufficient funds.

Effective 12/6/02

PERSONNEL & PENSIONS

<p>HB 3080 PA 92-862</p>	<p>Cross Petka</p>	<p>Amends the State Employees Group Insurance Act of 1971. Provides that the cost of group health coverage for a TRS dependent beneficiary who is an unmarried child age 19 or over and mentally or physically handicapped shall not exceed the cost for a TRS dependent beneficiary who is an unmarried child under age 19 and participates in the same major medical or managed care program. Provides that a TRS dependent beneficiary who is an unmarried child age 19 or over and mentally or physically handicapped does not become ineligible to participate by reason of (i) becoming ineligible to be claimed as a dependent for Illinois or federal income tax purposes or (ii) receiving earned income, so long as those earnings are insufficient for the child to be fully self-sufficient. Effective 1/3/03</p>
<p>HB 5169 PA 92-867</p>	<p>Daniels Donahue</p>	<p>Amends the Downstate Teacher Article of the Illinois Pension Code to allow purchase of credit for certain private school service. Also increases the number of unused sick days for which credit may be established. Effective 1/3/03</p>

REGIONAL SERVICES

<p>SB 616 PA 92-869</p>	<p>Cronin Beaubien</p>	<p>Removes a provision that provides that a Section of the School Code concerning the election of a Regional Superintendent of Schools for a consolidated region, filing a bond, and vacancies in an education service region (ESR) has no application in an ESR that is located in any county, including a county that is a home rule unit, if that ESR has a population of 2,000,000 or more inhabitants. Provides that until July 1, 2003 or until the Regional Superintendent elected in 2002 takes office, whichever occurs first, if a vacancy exists in the office of Regional Superintendent of an ESR that is located in a county that is a home rule unit and that has a population of 2,000,000 or more inhabitants, then that vacancy shall be filled by the first assistant superintendent/deputy superintendent until the end of the term to which the Regional Superintendent was elected. Effective 1/3/03</p>
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SPECIAL EDUCATION

<p>HB 1445 PA 92-877</p>	<p>Mitchell, J. Burzynski</p>	<p>Amends the Children with Disabilities Article of the School Code. Provides that reimbursement claims filed on behalf of special education programs housed in county-owned shelter care facilities shall be on an individual basis for eligible students with disabilities. Effective 1/7/03</p>
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STATE GOVERNMENT OPERATIONS

HB 4938 PA 92-866	McGuire Walsh, L.	Amends the State Records Act. Adds legislative policy. Provides that records created or received by or coming under the authority of or coming into the custody, control, or possession of public officials are public property and may not be destroyed except as provided by law and must be available for public inspection. Provides requirements for storing electronic records. Allows the State Historian to authorize a representative to serve on the State Records Commission. Restores the provision that reports of impaired physicians under Section 16.04 of the Medical Practice Act or Section 23 of the Medical Practice Act of 1987 are not included within the definition of records. Provides that a violation of provisions governing the accessibility of public financial records remains a Class B misdemeanor.
SB 1756 Vetoed 8/2/02 Veto Stands 12/5/02	Cullerton Feigenholtz	Amends the Open Meetings Act. Requires that a public body post its agenda at least 48 hours before a regular meeting. If such body has a website, requires that those public bodies post meeting notices, agendas, and minutes. Applies the website posting requirement to those public bodies whose staff maintains the website. The Governor's Veto Message indicates that he does not believe that the State should mandate this posting.

RESOLUTIONS

NOTE:	The General Assembly took no action on the Fall 2002 Mandate Waiver Report. Therefore, all waivers requested within that report are approved.
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