

HB5398



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5398

by Rep. Michael J. Madigan - Barbara Flynn Currie - Michael K. Smith

SYNOPSIS AS INTRODUCED:

105 ILCS 5/1A-1

from Ch. 122, par. 1A-1

Amends the School Code. Makes a technical change in a Section concerning the members of the State Board of Education.

LRB095 19346 NHT 45641 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 1A-1 as follows:

6 (105 ILCS 5/1A-1) (from Ch. 122, par. 1A-1)

7 Sec. 1A-1. Members and terms.

8 (a) (Blank).

9 (b) The ~~The~~ State Board of Education shall consist of 8
10 members and a chairperson, who shall be appointed by the
11 Governor with the advice and consent of the Senate from a
12 pattern of regional representation as follows: 2 appointees
13 shall be selected from among those counties of the State other
14 than Cook County and the 5 counties contiguous to Cook County;
15 2 appointees shall be selected from Cook County, one of whom
16 shall be a resident of the City of Chicago and one of whom
17 shall be a resident of that part of Cook County which lies
18 outside the city limits of Chicago; 2 appointees shall be
19 selected from among the 5 counties of the State that are
20 contiguous to Cook County; and 3 members shall be selected as
21 members-at-large (one of which shall be the chairperson). The
22 Governor who takes office on the second Monday of January after
23 his or her election shall be the person who nominates members

1 to fill vacancies whose terms begin after that date and before
2 the term of the next Governor begins.

3 The term of each member of the State Board of Education
4 whose term expires on January 12, 2005 shall instead terminate
5 on the effective date of this amendatory Act of the 93rd
6 General Assembly. Of these 3 seats, (i) the member initially
7 appointed pursuant to this amendatory Act of the 93rd General
8 Assembly whose seat was vacant on April 27, 2004 shall serve
9 until the second Wednesday of January, 2009 and (ii) the other
10 2 members initially appointed pursuant to this amendatory Act
11 of the 93rd General Assembly shall serve until the second
12 Wednesday of January, 2007.

13 The term of the member of the State Board of Education
14 whose seat was vacant on April 27, 2004 and whose term expires
15 on January 10, 2007 shall instead terminate on the effective
16 date of this amendatory Act of the 93rd General Assembly. The
17 member initially appointed pursuant to this amendatory Act of
18 the 93rd General Assembly to fill this seat shall be the
19 chairperson and shall serve until the second Wednesday of
20 January, 2007.

21 The term of the member of the State Board of Education
22 whose seat was vacant on May 28, 2004 but after April 27, 2004
23 and whose term expires on January 10, 2007 shall instead
24 terminate on the effective date of this amendatory Act of the
25 93rd General Assembly. The member initially appointed pursuant
26 to this amendatory Act of the 93rd General Assembly to fill

1 this seat shall serve until the second Wednesday of January,
2 2007.

3 The term of the other member of the State Board of
4 Education whose term expires on January 10, 2007 shall instead
5 terminate on the effective date of this amendatory Act of the
6 93rd General Assembly. The member initially appointed pursuant
7 to this amendatory Act of the 93rd General Assembly to fill
8 this seat shall serve until the second Wednesday of January,
9 2007.

10 The term of the member of the State Board of Education
11 whose term expires on January 14, 2009 and who was selected
12 from among the 5 counties of the State that are contiguous to
13 Cook County and is a resident of Lake County shall instead
14 terminate on the effective date of this amendatory Act of the
15 93rd General Assembly. The member initially appointed pursuant
16 to this amendatory Act of the 93rd General Assembly to fill
17 this seat shall serve until the second Wednesday of January,
18 2009.

19 Upon expiration of the terms of the members initially
20 appointed under this amendatory Act of the 93rd General
21 Assembly and members whose terms were not terminated by this
22 amendatory Act of the 93rd General Assembly, their respective
23 successors shall be appointed for terms of 4 years, from the
24 second Wednesday in January of each odd numbered year and until
25 their respective successors are appointed and qualified.

26 (c) Of the 4 members, excluding the chairperson, whose

1 terms expire on the second Wednesday of January, 2007 and every
2 4 years thereafter, one of those members must be an at-large
3 member and at no time may more than 2 of those members be from
4 one political party. Of the 4 members whose terms expire on the
5 second Wednesday of January, 2009 and every 4 years thereafter,
6 one of those members must be an at-large member and at no time
7 may more than 2 of those members be from one political party.
8 Party membership is defined as having voted in the primary of
9 the party in the last primary before appointment.

10 (d) Vacancies in terms shall be filled by appointment by
11 the Governor with the advice and consent of the Senate for the
12 extent of the unexpired term. If a vacancy in membership occurs
13 at a time when the Senate is not in session, the Governor shall
14 make a temporary appointment until the next meeting of the
15 Senate, when the Governor shall appoint a person to fill that
16 membership for the remainder of its term. If the Senate is not
17 in session when appointments for a full term are made, the
18 appointments shall be made as in the case of vacancies.

19 (Source: P.A. 93-1036, eff. 9-14-04.)