AGENDA

1. Roll Call and Determination of a Quorum

2. Approval of February 25, 2015 Meeting Minutes

3. Status Reports
   - Circuit Clerk – Becky Morganegg
   - Courthouse – Chief Judge Timothy McCann
   - Court Security – Rob Leinen
   - Court Services – Tina Varney
   - Public Defender – Vicki Chuffo
   - Sheriff’s Office – Chief Deputy Scott Koster
   - State’s Attorney – Eric Weis

4. Legislative Report and Update

5. Old Business

6. New Business

7. Action Items for County Board

8. Public Comments

9. Executive Session

10. Adjournment
COUNTY OF KENDALL ILLINOIS
JUDICIAL LEGISLATIVE COMMITTEE
Wednesday, February 25, 2015
Courthouse Jury Assembly Room
807 W. John Street, Yorkville IL

Meeting Minutes

Call to Order
The Judicial Legislative Committee met and was called to order by Chair Matthew Prochaska at 3:00p.m.

Roll Call
Committee Members Present: Judy Gilmour – here, Dan Koukol – here, Matt Prochaska - here, Bob Davidson – yeah, John Purcell (arrived at 3:04p.m.)

Also Present: Becky Morganegg, Nicole Swiss, Tina Varney, Eric Weis

Approval of Minutes – Member Davidson made a motion to approve the January 28, 2015 minutes, second by Member Gilmour. Minutes approved with all in agreement.

Status Reports

Circuit Clerk – Becky Morganegg reported that she has received resignations from two deputy clerks recently, and will begin the search for replacements. She said that turnover seems to be a challenge for her office lately.

Courthouse – Judge Tim McCann wanted to alert the committee on the current issue of funding for court reporters, and said that when the state budget was approved that the state and legislature changed the funding source for the court reporting service salaries to the personal property tax replacement fund. Unfortunately, that fund authorized by the legislature was not the appropriate fund to utilize for this purpose, and has caused the issue with funding.

Judge McCann and other Chief Judges in the state have been notified by the Supreme Court, there will be no money available for payment of the court reporters after April 15, 2015. Judge McCann said Kendall County will be out of funds for court reporter salaries as of May 15, 2015. It has been suggested that circuits begin lay-off of court reporters as soon as Monday, March 2, 2015, or that they totally shut the door until funding is available in July 2015. There are some circuits suggesting they will have a total shut down on April 16, 2015. Judge McCann will continue to update the committee on his decision for the Kendall County circuit.
**Court Security** – No report

**Court Services/Probation** – Tina Varney distributed the monthly reports for Juvenile Placement and Juvenile Detention.

**Public Defender** – Report as submitted

**Sheriff’s Office** – No report

**State’s Attorney** – State’s Attorney Eric Weis reported they have hired one new support staff member who is already in place, and a new supervisor of the misdemeanor division who will begin on March 9, 2015. Mr. Weis reported these as replacements for former employees.

**Legislative Report** – Chairman Prochaska stated that SB 59 will be moving forward this session. Prochaska also reported that Governor Rauner is proposing cuts to the local distributive government fund, and will increase the deficit substantially if the bill passes.

HB 1373 proposes that all stipends when the next term begins would eliminate all stipends, and HB 260 proposes to reduce or eliminate the amount of state stipend that elected county officials receive based on county population. Kendall County elected officials would receive fifty percent of their stipend if this bill passes.

There is a bill that proposes a freeze on the PTELLs. Mr. Prochaska will continue to update the committee on this bill.

Mr. Prochaska updated the committee on the unfunded mandates topic. Governor Rauner created a state commission to address local government consolidation and unfunded mandates. This commission will be operated under the office of the lieutenant governor. The commissions mandate is to conduct a comprehensive review of all state laws relating to local government and school district consolidation.

**Old Business** – Mr. Prochaska updated the committee on the proposed combination of the Judicial Legislative Committee and Public Safety Committee into one committee. Mr. Prochaska reported that this item has been forwarded to the Admin HR committee for review before any action is taken. Mr. Prochaska will update the committee on the progress.

**New Business**

- **Kendall County Legislative Lobby Day** – Member Prochaska invited all committee members to the Legislative Lobby Day including a reception and an education seminar hosted by UCCI in Springfield on March 24, 2015.

**Actions Items for County Board** – None
Public Comments - None

Executive Session – None Needed

Adjournment – A motion was made by Member Koukol, second by Member Gilmour to adjourn the Judicial Legislative Committee at 3:41 p.m. With all in agreement, the meeting adjourned.

Respectfully Submitted,

Valarie McClain
Administrative Assistant/Recording Secretary
### Juvenile Detention - FY2015

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<th>Total New Admissions</th>
<th>Total Holdovers*</th>
<th>Total Days</th>
<th>Total Cost Incurred</th>
<th>Same Time FY2014</th>
<th>Same Time FY2013</th>
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*Holdover=A minor detained on the last day of the previous month carried over to the first day of the current month.

Kendall County Fiscal Year 2015 (Juvenile Detention):
- Amount Budgeted: $100,000.00
- Amount Expended: 16,200.00 (as of 02/28/2015)
- Amount Remaining: $83,100.00

### Juvenile Board & Care - FY2015

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<tr>
<td>TOTAL</td>
<td>10</td>
<td>155</td>
<td>$15,500.00</td>
</tr>
</tbody>
</table>

Kendall County Fiscal Year 2015 (Juvenile Board & Care):
- Amount Budgeted: $100,000.00
- Amount Expended: 6,365.76 (as of 02/28/2015)
- Amount Remaining: $93,634.24
MEMORANDUM

Re: Illinois House FY15 Budget Fix

The Illinois House of Representatives passed Governor Rauner’s FY15 Budget Fix yesterday. The legislation now heads to the Senate and should be heard later this week.

Fortunately, the Local Government Distributive Fund (LGDF) will be left intact under the House proposals for the current fiscal year.

House Bill 317 (72-45-0) and House Bill 318 (69-48-0) implementing the plan passed the House with unanimous Republican support. The plan takes $1.3 billion from special state funds and makes a 2.25 percent cut to general funds throughout executive branch agencies.

Included is a $200 million sweep of the sales tax fund, however, the amount is considered excess or essentially the "float" that the state maintains in the fund each year. It should not reduce any previously promised revenues to local governments.

The deadlines to report bills out of House and Senate Committees is this Friday. More information will be reported in the next edition of "Counties at the Capitol" to be published next week.
TO: Legislative/Judicial Committee Members

FROM: Victoria Chuffo, Public Defender; Monthly Report

NUMBER OF CASES ASSIGNED TO EACH PUBLIC DEFENDER
AS OF MARCH 25, 2015  

VICTORIA CHUFFO, Public Defender
- 67 cases / last month 84 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender
- 123 cases / last month 126 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender
- 262 cases / last month 237 cases - Felony/ Juvenile cases

ERIN SHANAHAN, Asst. Public Defender
- 317 cases/ last month 357 cases - Misdemeanor/Traffic/Juvenile cases

CHRISTOPHER WARMBOLD, Asst. Public Defender
- 157 cases / last month 154 cases - Misdemeanor/Traffic cases

My office has been appointed a total of 193 new cases between February 25, 2015 and March 25, 2015. The Kendall County Public Defender’s Office currently has 926 open cases as of today’s date; March 25, 2015. My office has seen an increase in the appointments for Felony, Misdemeanor and Juvenile Delinquency cases in the last month.
COOK & COLLAR COUNTIES
2015 LEGISLATIVE PROGRAM

The counties of Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will together comprise most of Illinois’ population. While each county is unique, there are a variety of challenges and opportunities that are of interest across jurisdictional boundaries. As such, the Cook and Collar Counties have collaborated in preparing this 2015 Legislative Program.

Legislative Initiatives

Subsequent Opportunities for Participation in Drug Courts
Specialty courts, such as Drug Courts, are an alternative sentencing approach for non-violent offenders who have been arrested. Defendants who meet the program eligibility requirements are given the opportunity to voluntarily participate in a highly structured, closely monitored, treatment based probation. Upon successful completion of a specialty court program, the courts may dismiss the original charges against the defendant. By agreement, the Circuit Court, the State’s Attorney’s Office, and the Public Defender admit a defendant into specific specialty court. The defendant must also agree to partake in a program. Unlike other specialty courts, any individual who has previously completed or has been discharged from a Drug Court Program is barred from being considered any time in the future for subsequent participation in Drug Court Programs under current Illinois law. A change to eligibility under the Drug Court Treatment Act (730 ILCS 166/20) would afford a “high risk, high need” chemically dependent individual subsequent opportunities for participation and would align Drug Courts and other specialty courts with the same eligibility requirements.

Position - Support Senate Bill 727

Wireless Surcharge for E-911
The Wireless Surcharge for E-911 in the Wireless Emergency Telephone Safety Act is set to sunset on July 1, 2015. The Emergency Telephone System Boards (ETSBS) across the State are reliant upon the .73 cents monthly surcharge fee assessed by the State on all cellular lines. If ETSBS lose funding due to the sunset of the Wireless Surcharge, this would have a negative impact on all public safety agencies utilizing ETSB provided services. Successful reauthorization of the Wireless Surcharge will result in the development of a long-term, stable funding mechanism that adequately funds local emergency response systems our citizens depend upon. Cook and the Collar Counties also support efforts to consolidate multiple ETSBS, as well as dispatching centers within counties.

Electronics Recycling Funding
The Electronics Product Recycling and Reuse Act requires manufacturers to fully fund the recycling of residential electronics (that are banned from landfills) based on a mandated goal of 50% of the weight of current retail sales of electronics. As the weight of electronics sold continues to decrease, the statutory goal is reached earlier each year, thus reducing the number of recyclers/companies that are willing to collect electronics free of charge. Units of local governments across the State that previously hosted free electronics collection events have lost programs due to the inability to identify a zero cost recycler (because of the low manufacturer goals). This unfortunately has left residents with fewer alternatives to dispose of unwanted electronics.

Position - Support Senate Bill 797 and House Bill 1445

Court Services Fees
Service demands facing the courts have increased over the years. These increased demands coupled with budgetary shortfalls have created a need to generate additional revenue to support the overall court system and the services provided by courts. The upper limits of most fees are determined by state statute, so in order to increase the fees it is necessary to make a legislative change.

Position – Support SB 804

Legislative Tenants

1. Support legislation granting additional permissive authorities for counties.
2. Support legislation allowing counties to expand non property tax revenue sources.
3. Oppose unfunded mandates imposed by the state government.
4. Oppose legislation that would reduce the existing authority of county government.
5. Oppose proposals that seek to merge underfunded pension systems with fully funded pension systems.
6. Oppose individual proposals that erode existing revenue and are not part of a larger proposal approved by Cook and the Collar Counties.
Counties at the Capitol
Published by the
Illinois Association of County Board Members and Commissioners
President William Alstat, Jackson County
Kelly J. Murray, Executive Director • Taylor Anderson, Legislative Consultant

Committees began meeting in earnest this week to take action on legislation that has been introduced by lawmakers during the 99th General Assembly. We are continuing to review and analyze over 500 bills that may impact counties. Positions will be determined by our Legislative Committee over the coming days. This Statehouse report provides a summary of key legislation. It is not all inclusive, nor is it a roster of bills favored or opposed by the IACBMC. If you have questions regarding any legislation, please contact our office at 217-528-5331.

Senate considers fund sweeps

The Senate Appropriations Committee adopted SA#1 to Senate Bill 274 in order to address the insufficiency of funds within the FY2015 state budget. The amendment is an initiative of the Democratic Caucus, and was not supported with any Republican votes. It is intended to provide Gov. Rauner with authority to sweep a multitude of state funds and shift the money to plug budgetary holes to keep key state programs and services afloat. In total, the sweep authority involves $573 million in revenue. Of interest to counties, the sweeps include:

• Motor Fuel Tax Fund - $22,993,204.30
• State and Local Sales Tax Reform Fund - $13,371,644.79
• Local Government Tax Fund - $67,633,983.86
• PPRT Fund - $63,293,412.62

Senate Bill 274 does not sweep any revenue from the Local Government Distributive Fund (LGDF). Bill proponents contend that the sweeps involve excess reserve funds.

House Bills

HB 174 (McSweeney)
LOCAL GOVT. DISSOLUTION ACT
Status: Executive Committee
Provides that electors may petition for a referendum to dissolve a non-home rule unit of local government.

HB 175 (McSweeney)
OPEN MEETINGS - REVIEW
Status: Passed House 110-0-0
Amends the Open Meetings Act. Provides that a request for review may be made within 60 days after the discovery of the alleged violation, but only if the fact concerning the violation are discovered within 2 years after the alleged violation.

HB 177 (McSweeney)
PTELL - EXTENSION LIMITATION
Status: Property Tax Subcommittee
Provides that, for tax years 2015 through 2017, the extension limitation is 0% of the rate of increase approved by voters.(Instead of the lesser of 5% or the percentage increase in the Consumer Price Index during the calendar year preceding the levy year or the rate approved by voters).

HB 178 (McSweeney)
PTELL - TOWNSHIP PROPERTY
Status: Property Tax Subcommittee
Creates a Township Property Tax Extension Freeze for the 2015 levy year for townships with a population of 100,000 or less that are located within a county that is subject to PTELL.

HB 228 (Franks) Connelly
LOCAL GOVERNMENT BAN
Status: Passed House 111-2-0
Prevents the General Assembly from enacting any law creating any new unit of local government for the next four years.

HB 229 (Franks)
COUNTIES REDUCTION EFFICIENCY
Status: Counties & Townships Comm.
Extends the applicability provision of the Division to all counties within the State (currently, only DuPage County). Adds a Section concerning the rights of employees of a former unit of local government after it has been dissolved.

HB 248 (Key)
OPEN MEETINGS - VOID ACTION
Status: House 2nd Reading
Provides that the court may declare null and void any final action taken at a closed or open meeting (instead of only a closed meeting) in violation of the Act.

HB 260 (Sosnowski)
COUNTY OFFICIAL STIPENDS
Status: Finance Subcommittee
Makes changes to provisions concerning stipends paid to county assessors, treasurers, recorders, coroners, auditors, sheriffs, and circuit clerks to provide that: (1) in counties with a pop. under 100,000, officials shall receive a full stipend amount; (2) in counties with a pop. of 100,000 or more, officials shall receive 50% of the stipend amount; and (3) in counties with a pop. of 400,000 or more, officials shall receive no stipend.
New wind-related bills introduced

House Bill 3120 sponsored by Rep. Tom Demmer (R-Rochelle) extends the state wind turbine property tax valuation until 2026 (current sunset is 2016). It maintains the status quo for counties and developers, so all stakeholders should be in agreement on this component. Also establishes a similar property tax valuation for large-scale solar installations. It would set a different value for solar than wind, but would use the same formula for depreciation.

House Bill 3523 sponsored by Rep. Adam Brown (R-Urbana) requires that developers sign an Agricultural Impact Mitigation Agreement (AIMA) with the Department of Agriculture before getting a county permit. It is essentially the same requirement that transmission lines and pipelines currently face, and is not anticipated to hinder county authority.

HB 261 (Sosnowski)
NOTICE BY PUBLICATION ACT Status: Counties & Townships Comm. Allows a governmental unit to publish notices required by law on a government website instead of in a newspaper.

HB 298 (Sandack)
MUNICIPAL BANKRUPTCY Status: Judiciary – Civil Committee Allows municipal governments to seek bankruptcy protections under Article 9 of the Federal Bankruptcy Code. Requires a municipality to gain state authorization as part of the filing.

HE 365 (DeLuca)
LOCAL GOVT. DISTRIBUTIVE FUND Status: Income Tax Subcommittee Returns 10% of state income tax revenue back to local governments. The Local Government Distributive Fund share received by counties had been 10% until the temporary income tax increase took effect in 2011. When the tax hike sunset, local governments did not automatically revert back to receiving a 10% share. The current share is 6% of total income tax collections.

HE 303 (McDermed)
FOIA – SEVERANCE AGREEMENTS Status: Judiciary – Civil Committee Provides that a severance agreement that is funded by public money or that releases a claim against a public body shall not require or impose any condition on any party to keep allegations, evidence, settlement amounts, or any other information confidential, except that which is necessary to protect a trade secret, proprietary information, or information that is otherwise exempt from disclosure under the Act.

HB 435 (Sullivan)
LOCAL GOVERNMENT – INTERNET POSTINGS Status: Counties & Townships Com. Requires local governments serving a population of 5,000 or more to maintain an Internet website and post certain information. Any citizen may bring a mandamus or injunction action to compel the local government to comply with the posting requirements. Provides that a public body is not required to copy and make available for inspection a public record that is published on the website if the public body's FOIA officer certifies that the online record is a true and accurate copy of the original record.

HB 1380 (Phelps)
PUBLIC LABOR ATTORNEY FEES Status: Labor Committee Unless mutually agreed otherwise, any party to a collective bargaining agreement who fails to timely comply with an arbitration award or who fails to submit a grievance dispute concerning the administration or interpretation of an agreement to arbitration shall pay to the prevailing party all reasonable costs of the proceeding in the trial and reviewing courts, including attorneys' fees.

HB 1426 (Hernandez)
LOCAL GOVERNMENT IMMUNITY – FLOOD CONTROL Status: Judiciary – Civil Committee Provides that a local public entity is not liable for damages to property caused by climate-related events, flooding, or the design, construction, or improvement of infrastructure intended to mitigate climate-related events or flooding.

HB 1434 (Franks)
ELECTED OFFICIALS LIMITATION Status: Criminal Procedure Subcomm. Provides that an elected official may not hold more than one public office simultaneously. Defines "elected official" as any person who holds an office that is subject to election in accordance with the Election Code.

HB 1455 (McAsey)
ELECTRONIC PRODUCT RECYCLING Status: Renewable Energy Committee Provides that a registered recycler of CEDs and EEDs may not charge units of local government acting as collectors a fee to recycle or refurbish CEDs and EEDs, unless the recycler provides (i) a financial incentive, such as a coupon, that is of greater or equal value to the fee being charged or (ii) premium service, such as curbside collection, home pick-up, or drop-off locations.

HB 1525 (Stewart)
PREVAILING WAGE WAIVER Status: Labor Committee Provides that the Act does not apply to wages paid to all laborers, workers, and mechanics employed by or on behalf of a public body engaged in a public works project with a total cost of $20,000 or less if the public body notifies the Dept. of Labor of each project for which the waiver is used within 60 days of commencing the project.

HB 2418 (Kay)
WORKERS’ COMPENSATION ACT – TRAVEL CAUSATION Status: Labor Committee Provides that an employee who is required to travel in connection with his or her employment and who suffers an injury while in travel status shall be eligible for benefits only if the injury arises out of and in the course of employment while he or she is actively engaged in the duties of employment.
New House Bills

HB 2474 (Nekritz)
COUNTY BUDGET HEARING
Status: Counties & Townships Comm.
Requires the chairman, county executive, or county board president to annually submit an approved executive budget prepared by the budget director to the committee on finance. The committee shall then prepare a tentative annual appropriation ordinance to be made available for public inspection at least 10 days prior to finalizing the ordinance and hold a public hearing not less than one week prior to finalizing the ordinance.

HB 2526 (Tryon)
TAX BILLS – PENSION
Status: Property Tax Subcommittee
Requires property tax bills to contain a statement for each taxing districts setting forth the dollar amount of tax due that will be used to pay its employees’ contributions to a public pension fund.

HB 2535 (Tryon)
PROPERTY TAX APPEALS
Status: Property Tax Subcommittee
Provides that, in counties excluding Cook, a complaint to affect the assessment of property shall be filed on or before 90 calendar days (instead of 30 calendar days) after the date of publication of the assessment list, if the appeal contains an appraisal.

HB 2580 (Costello)
ROAD CLOSURES
Status: Transportation Committee
Provides that highway commissioners may not permanently close, vacate, or reduce the weight limit on any road without written approval of the county superintendent of highways and the elected board associated with that road district.

HB 2687 (Breen)
OPEN MEETINGS ACT – RECORDING
Status: Cities & Villages Committee
Provides that the right of any person to record the proceedings at meetings required to be open under the Act includes the time before and after the meeting. Limits the recording before and after the meeting to the recording of public officials within 100 feet of the property where the meeting takes place.

HB 2764 (Kay)
LABOR ARBITRATION
Status: Labor Committee
Provides that arbitration panels hearing security employee, peace officer, firefighter, and paramedic disputes must not take into consideration the ability of a unit of government to raise taxes or impose new taxes when determining the financial ability of that government to pay the costs associated with those employees’ wages and other conditions of employment.

HB 2798 (Bennett)
ELECTION CODE – EARLY VOTING
Status: Executive Committee
Provides that, in counties with a population of less than 100,000, an election authority is only required to provide early voting in the county clerk’s office.

HB 2916 (Martwick)
IMRF – ENFORCE PAYMENT
Status: Rules Committee
Allows the Fund to begin enforcement action against employers who have failed to remit contributions to the Fund when the contributions are 60 (rather than 90) days overdue.

HB 3089 (Breen)
CITIZEN PARTICIPATION ACT
Status: Rules Committee
Provides that the Act applies to a motion that is made in response to a claim that is meritless and retaliatory. Provides that “attorney’s fees and costs” include reasonable trial and appellate attorney’s fees and costs incurred in connection with a motion under the Act, including, but not limited to, fees and costs for discovery that relates to such a motion.

HB 3090 (Demmer)
NOTICE BY PUBLICATION
Status: Rules Committee
Provides that whenever a local government is required by law to provide notice by publication in a newspaper, it is sufficient to publish the following information: (1) a citation to the statutory basis for the requirement that the notice be published, and (2) the Internet site where the full text of the notice may be found.

Bennett advances legislation to protect Central Illinois’ water supply

The Mahomet Aquifer serves as the primary water supply for 15 counties across Central Illinois including Champaign and Vermilion counties. Sen. Scott Bennett (D-Champaign) advanced Senate Bill 1698 to protect residents across Central Illinois from contaminated drinking water.

"The Mahomet Aquifer serves as a lifeline for our region. It's our duty to protect this important resource for the sake of our children and generations to come," said Bennett.

"This proposal will further the mission of the Mahomet Aquifer Protection Alliance by instituting guidelines to protect our underground water source."

Local communities across central Illinois have banded together to fight the disposal of dangerous toxins at the Clinton Landfill, which sits atop the Aquifer. As a result of their efforts, last year the Mahomet Aquifer was designated as a Sole Source Aquifer, which provides federal protection.

Rep. Carol Ammons (D-Champaign) has introduced similar legislation in the House. Senate Bill 1698 passed the Senate's Committee on Public Health and now moves to the full Senate for consideration."
HB 3134 (Ives)  
LABOR AGREEMENT HEARINGS  
Status: House Rules  
Once an agreement is reached between a public employer and its employees regarding the terms of a collective bargaining agreement, the agreement shall be reduced to writing and published on the website of the public employer. Requires the public employer, not less than 14 days after publishing such an agreement, to hold an open public meeting on the ratification of that agreement.

HB 3151 (Cabello)  
LGDF IF RATE REDUCED  
Status: House Rules  
If the rate of tax is reduced because the State has exceeded its spending limit, then, beginning with the first distribution to occur after the effective date of the reduction, the Comptroller shall order transferred and the State Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to 1/10 of the net revenue realized under Act during the preceding month.

HB 3174 (Fortner)  
MOTOR FUEL TAX  
Status: House Rules  
Provides that beginning on July 1, 2015, motor fueled and gasohol must be taxed at the rate of 1.25% (now, 0.25%). Imposes an additional tax of $0.150 per gallon on motor fuel sold in the State which must be adjusted each fiscal year to account for inflation. The proceeds of this tax must be deposited into the Metropolitan Transit and Road Improvement Fund and set forth certain requirements regarding distributions from that Fund.

HB 3280 (Pheelps)  
PUBLIC SAFETY OFFICER  
Status: House Rules  
Provides that a public employer shall reimburse a public safety officer for reasonable attorney's fees incurred by the officer in connection with any criminal proceeding arising from the officer's conduct in the performance of official duties unless, any of the following applies: (1) the officer was convicted of a crime; (2) the officer's employment is terminated for cause; or (3) the officer resigns for reasons other than retirement or disability before the attorney's fees are incurred.

HB 3320 (Anthony)  
COUNTY BOARD MEMBER OATH  
Status: House Rules  
Provides that each member of the county board shall be commissioned by the governor, and shall, before entering upon the duties of his or her office, take and subscribe the oath required by the Illinois Constitution, which shall be filed in the office of the county clerk.

HB 3379 (Costello)  
FIREARMS REGULATION  
Status: House Rules  
Provides that a local government may not require registration, reporting of the sale or transfer of a firearm, or may not keep a firearm registry.

HB 3521 (Harris)  
MOTOR FUEL TAX RATES  
Status: House Rules  
Provides that the rate of tax shall be 36 cents per gallon for diesel (currently 21.5 cents per gallon) and 35 cents per gallon for other motor fuel (currently, 18 cents per gallon). Certain amounts shall be transferred from the Motor Fuel Tax Fund to the General Revenue Fund.

HB 3591 (Ives)  
ELECTION CODE - OMNIBUS  
Status: House Rules  
Among other changes, creates a pilot program for DuPage County that allows the election authority to obtain driver's license pictures to help verify a voter's identity.

HB 3592 (Tryon)  
IMRF EARLY RETIREMENT COST  
Status: House Rules  
In a provision concerning payment for purchasing service credit under an early retirement incentive program, changes the required contribution rate from a specified percentage to the total employee contribution rate in effect for the applicable plan at the time the member purchases the service.

HB 3672 (Harris)  
RECORDER FRAUD ALERT  
Status: House Rules  
Provides that in a county that has a property fraud alert system, a county recorder may create a registration form to register a property owner on the county's property fraud alert system that a real estate professional may file with the recorder on behalf of a property owner. Provides that real estate professionals must register with the county recorder prior to filing the registration forms on behalf of property owners. Limits liability for those assisting a property owner with registering for the property fraud alert system.

Holmes supports consolidating local governments

Seeking to eliminate some redundancy from local government, Sen. Linda Holmes (D-Aurora) voiced her support for legislation aimed at bringing separate forest preserve districts into county government. Most of Illinois' 102 county boards regulate local forest preserves. DuPage County, which includes parts of Aurora and Naperville, has a separate Forest Preserve Board of DuPage County, something local voters have questioned the necessity of in the past.

"Illinois is cited time and again as having too many layers of government, more than any other state in the country," Holmes said. "We need to find efficiency where we can. If most counties in the state can manage their forest preserves within county government, DuPage County can do the same."

House Bill 3099, sponsored by state Rep. Deb Conroy (D-Elmhurst), would mandate that separate forest preserve districts in counties like DuPage become part of county government by November of 2018.
Resolution urging NGA campus to locate in St. Clair County clears committee

The Illinois House Economic Development committee approved bi-partisan legislation urging the National Geospatial-Intelligence Agency (NGA) campus to build the agency's new facility in Illinois.

House Resolution 10 introduced by Reps. Charlie Meier (R-Oakawville) and Dwight Kay (R-Glen Carbon) received bi-partisan support from Reps. Jay Hoffman (D-Belleville) and Eddie Lee Jackson (D-East St. Louis), who have both co-sponsored the resolution.

The NGA plans to build a new campus in the St. Louis region by 2021 and is estimated to generate 3,000 jobs. The federal agency is currently considering four potential locations: Fenton, MO; Mehlville, MO; North St. Louis City; and St. Clair County, IL. The St. Clair County Board would vote to give the NGA free land before March 2016, when the NGA will decide where to relocate from its current headquarters near the Anheuser-Busch brewery.

"It is obvious to me St. Clair County should be the new home for the intelligence campus, said Rep. Meier. "We are the only location adjacent to a secure facility, Scott Air Force Base and we are the only location to offer free land thanks to St. Clair County government."

HB 3760 (Franks)
DISCLOSE INCENTIVES
Status: House Rules
Provides that each unit of local government shall report the annual value of any tax incentive granted by the local government as lost revenue on the annual financial report for that unit of local government. The term "tax incentive" means any property tax abatement granted by a unit of local government or any tax increment financing affecting a unit of local government. Provides that, no later than August 1 of each year, the Department of Commerce and Economic Opportunity shall report to the Governor and the General Assembly the total value of all tax credits awarded by the Department.

HB 3811 (Riley)
PTELL – EXEMPT PENSION LEVIES
Status: House Rules
Exempts special purpose extensions made by any taxing district for payment of that district's share of the amounts required to be contributed to any pension fund created under the Illinois Pension Code from the definition of "aggregate extension."

HB 3881 (Moffitt)
WORKERS COMP DAMAGES
Status: House Rules
Amends the Workers' Compensation Act concerning the limitation on the right to recover damages for injury or death sustained while in the line of duty as an employee. Includes occupational safety programs offered by government entities, apprenticeship programs, and not-for-profit organizations within the scope of those provisions.

HB 3962 (Sosnoski)
VACATION DAYS
Status: House Rules
Provides that employees of a county or municipality including employees subject to collective bargaining agreements, may not carry over or transfer any more than 5 vacation days, 5 personal days, and 5 sick days accrued in one calendar to the next calendar year.

HB 3983 (McDermott)
ADULT ENTERTAINMENT FACILITIES
Status: House Rules
Provides for a public policy recital concerning the reasons for regulating adult entertainment facilities. Provides that provisions requiring a one-mile separation between an adult entertainment facility and other specific land uses shall not be enforced if enforcement would fail to allow adult entertainment facilities reasonable alternative avenues of communications.

HB 4045 (Hurley)
FOIA – SEVERANCE AGREEMENTS
Status: House Rules
Provides that a settlement agreement or severance agreement that is funded in whole or part by public moneys or that releases a claim against a public body shall not require or impose any condition on any party to keep allegations, evidence, settlement amounts, or any other information confidential, except that which is necessary to protect a trade secret, proprietary information, or information that is otherwise exempt from disclosure under the Act.

HB 4047 (Manley)
LOCAL GOVT. REDUCTION
Status: House Rules
Provides that the Local Government Reduction and Efficiency Division of the Counties Code applies to counties with a population of more than 650,000 (currently 900,000) and the units of local government within such counties.

HB 4081 (Kay)
BACKDOOR REFERENDUM
Status: House Rules
Provides that, if a taxing district is authorized by statute to levy a property tax, and if that tax is subject to a backdoor referendum, then, before the taxing district levies the tax for the first time, and before the taxing district increases the rate of tax, the taxing district shall instead submit the tax rate to direct referendum.

HB 4099 (Kay)
WORK COMP WAGE DIFFERENTIAL
Status: House Rules
Provides that the Illinois Workers' Compensation Commission may adjust the standard award formula for wage differential based on the type of employment, the nature and extent of injuries, and the age of the employee as it relates to the employee's remaining length of career in his or her usual and customary line of employment notwithstanding the injuries.
Workers’ comp reform bill takes aim at causation

Seeking to help Illinois attract investment, create jobs, and end fraud and abuse, legislation has been filed that would add “primary causation” to Illinois’ workers’ compensation law.

Senate Bill 846 sponsored by Sens. Dale Richter (R-Mattoon) and Kyle McCarter (R-Vandalia) would require an employer’s workers’ compensation insurance to pay a claim only if the employee’s injury was caused primarily by a workplace accident.

Under current law, any connection to a workplace accident, regardless of how remote, obliges the workers’ compensation policy to cover 100% of the costs associated with the injury. Employers have complained that Illinois’ law is a significant financial burden, which makes the state a less desirable place to do business. It is estimated adding “primary causation” to Illinois’ workers compensation law would save employers $1 billion per year in reduced insurance premiums.

Causation proponents point to Indiana and Missouri, where premiums are less than half of what employers pay in Illinois. Twenty-nine states have a more stringent causation standard than Illinois.

Senate Bills

SB 59 (Mulroe)
JUROR FEES
Status: Judiciary Committee
Provides that if the county board determines it cannot pay jurors the sums of $25 for the first day and $50 each additional day, the board shall fix an amount no less than $4 for each day of necessary attendance at courts as jurors in counties of the first class, the sum of $5 for each day in counties of the second class, and the sum of $10 for each day in counties of the third class. Does not set any criteria that a county has to meet in order to site financial hardship.
NOTE: Sen. Mulroe (D-Chicago) filed the original Bill setting the higher juror pay rates. The unfunded mandate takes effect June 1, 2015.

SB 86 (Althoff)
COUNTIES – ADMIN ORDER FINES
Status: Local Govt. Committee
Provides that a default in the payment of a fine or penalty or any installment may be collected by any means authorized for the collection of monetary judgments. Allows the state’s attorney of the county in which the fine or penalty was imposed to retain attorneys and private collection agents for the purpose of collecting any fine or penalty. Any fees incurred with respect to such attorneys or collection agents shall be charged to the offender.

SB 762 (Sandoval)
LOCAL GOVERNMENT IMMUNITY
Status: Judiciary Committee
Provides that a local public entity is not liable for damages to property caused by climate-related events, flooding, or the design, construction, or improvement of infrastructure intended to mitigate climate-related events or flooding.

SB 763 (Sandoval)
IMRF – FIREFIGHTER SLEP
Status: Pension Comm. (Postponed)
Allows certain firefighters who participate in IMRF to be granted “Sheriffs Law Enforcement Employee (SLEP) status with the approval of the employing municipality. The resolution may specify that SLEP status be applied retroactively to employment occurring on or after January 1, 2011.

SB 817 (Morrison)
PUBLIC BUDGET HEARING
Status: Local Govt. Committee
Provides that the county board or board of county commissioners shall hold a public hearing regarding the county’s annual budget after making the budget available to the public and at least 10 days prior to the board’s final action on the budget.

SB 1290 (Koehler)
ERRONEOUS EXEMPTIONS
Status: Revenue Committee
Amends the Property Tax Code. Provides that the provisions of a section relating to erroneous homestead exemptions applies to all counties (currently, only counties with 3,000,000 or more inhabitants).

SB 1306 (Silverstein)
NURSING HOME – ELECTRONIC-MONITORING
Status: Public Health Committee
Requires a nursing home to place electronic monitoring devices throughout the facility in areas including specified common areas and residents’ rooms.

SB 1324 (Althoff)
PREVAILING WAGE – FALSE CLAIM COMPLAINT
Status: Labor Committee
Provides that any individual, contractor, or subcontractor who has been aggrieved by a filed false complaint may institute a civil action for damages, including compensatory damages, legal fees, administrative fees, penalties assessed by the Dept. of Labor pursuant to the complaint, injunctive relief, and other appropriate equitable relief.
Provides that no public body, including a home rule unit, is authorized to use as a basis for denying a contract to a contractor or subcontractor any complaint filed with the Department or any determination by the Department that the contractor or subcontractor has committed a violation under this Act, unless the contractor or subcontractor is debarred at the time of the bid.
SB 1325 (Althoff)
PREVAILING WAGE – DUE PROCESS
Status: Labor Committee
Provides a process for investigation into violations of the Prevailing Wage Act. Provides a $5,000 fine for knowingly filing a false complaint or a record to a false or fraudulent complaint.

SB 1326 (Connelly)
PUBLIC LABOR ARBITRATION
Status: Labor Committee
Requires an arbitration panel to consider the statutory factors upon which it must base its findings, opinions, and orders during the dispute of a security labor agreement's wage rates or other employment conditions. Specifies the bases for the statutory factor of the unit of government's financial ability to meet costs.

SB 1357 (Rezin)
911 SERVICE REIMBURSEMENT
Status: Energy Committee
If a public agency, governmental entity, or ETS Board submits an affidavit to the Illinois Commerce Commission stating the amount of expenses for services that the agency has incurred because an employee of a public safety agency was required to physically transfer 9-1-1 calls at the private branch exchange due to a failure by a system provider's trunk line, the Commission shall reimburse the responding agency in the amount stated in the affidavit or $1,000.00, whichever is less.

SB 1408 (Koehler)
EPA – FINES
Status: Environment Committee
A facility permitted or approved by the EPA under specified provisions of the Environmental Protection Act shall not be subject to fees assessed by a unit of local government that are related to the facility's recycling activities, provided that the facility recycles 75% or more of the material brought to the facility in a calendar year.

SB 1460 (Connelly)
COUNTY BUDGET HEARING
Status: Local Government Committee
Provides that the county board shall hold a public hearing regarding the county's annual budget after making the budget available for public inspection and at least 7 days prior to the board's final action on the budget.

LaHood measure to rein in gambling proliferation

In an effort to curb the growing influence of gambling “broom closets,” Sen. Darin LaHood (R-Dunlap) is offering legislation to slow the spread of video gaming in stand-alone establishments.

“When legislators negotiated the 2009 gaming legislation, there was not an intention of converting average businesses into mini-casinos. We have bakeries, gas stations, liquor stores, laundry mats and various other businesses that are getting in on the gaming action,” LaHood said.

LaHood’s proposal is coming on the heels of a massive proliferation of sole-source gambling parlors that are popping up across the state. Many of these stand-alone businesses are located in economically-depressed neighborhoods where gaming addiction rates can be significantly higher. The proliferation of the gaming "broom closets," has been highlighted by media outlets and in July 2014, Peoria-area columnist Phil Luciano wrote about local governments’ concerns about these businesses harming regular businesses.

Senate Bill 1794 would require that establishments generate 80% of their revenue from sales of food or beverage. It also sets strict guidelines for the marketing of the gaming machines in the establishment.

SB 1483 (Anderson)
FIRE DEPT. CONTRACTOR LOGOS
Status: Local Government Committee
Any nongovernmental entities that the county board contracts with to furnish fire protection services that display a logo of the county on vehicles or uniforms shall also display a disclosure stating that they are a contracted entity including the entity name, tax designation, and principal place of business. A person or entity that violates this section is guilty of a business offense and shall be fined $1,000.

SB 1496 (Cullerton)
CRIME FREE HOUSING
Status: Local Government Committee
Allows the county board to adopt a crime free rental housing ordinance to reduce crime in residential areas.

SB 1596 (Kotowski)
WILL DEPOSITORIES
Status: Judiciary Committee
Provides that a county recorder may implement a county will depository and if so created shall provide a form affidavit for a depositor of a will to file with the deposited will. Provides for different fees the county recorder may charge.

SB 1622 / SB 1623 / SB 1624 (Link)
LINE OF DUTY COMPENSATION ACT – COURT SECURITY
Status: State Government Committee
Includes court security officers in the definition of “law enforcement officer”.

SB 1627 (Brady)
LGDF – DISASTER RELIEF
Status: Senate Assignments
Provides that certain local governments may apply to IEMA to receive distributions directly from the Local Government Distributive Fund and the Income Tax Surcharge LGDF for purposes of reimbursing the local government for costs incurred as a result of a disaster when FEMA has denied a request for financial assistance for that eligible applicant.

SB 1630 (LaHood)
ABANDONED PARCELS
Status: Senate Assignments
Provides that counties may petition the circuit court to have property declared abandoned if the petition contains that the property is not being maintained as shown by the county having to abate a violation more than 3 times within a 12 month period (rather than only if the property contains an unsafe building).
SB 1681 (Cullerton)
WORKERS COMP DAMAGES
Status: Senate Assignments
Concerns the limitation on the right to recover damages for injury or death sustained while in the line of duty as an employee. Includes occupational safety programs offered by government entities, apprenticeship programs, and not-for-profit organizations within the scope of those provisions.

SB 1704 (Sullivan)
LOCAL HIGHWAY AUTHORITY
Status: Senate Assignments
Allows local authorities by ordinance or resolution to prohibit the operation of vehicles or impose restrictions as to the weight of vehicles to be operated upon highways under their jurisdiction, for a period not to exceed 90 days, measured in either consecutive or nonconsecutive days at the discretion of local authorities, in any one calendar year, when conditions will seriously damage the highway.

SB 1734 (Althoff)
COLLECT SERVICE FEES
Status: Senate Assignments
Provides that in counties of first, second, and third class, the fees for service of subpoenas and summons by special investigators are allowed and the investigators may charge service fees in an amount as prescribed in other sections of the Counties Code, unless the service fee is increased by county ordinance.

SB 1745 (Althoff)
PROCUREMENT CONTRACTS
Status: Senate Assignments
Provides that county contracts may be awarded as a sole source procurement unless an interested party submits a written request for a public hearing. Contracts for professional or artistic services cannot be amended through use of sole source procurements if the result would increase in the amount paid under the contract of more than 5% of the initial award, or would extend the contract term beyond the time reasonably needed for a competitive procurement, not to exceed 2 months. Requires the county board to file a yearly report with the General Assembly concerning procurement contracts entered into.

SB 1746 (Althoff)
CONTRACTS OF 4 YEARS
Status: Senate Assignments
Provides that counties may make contracts of up to 4 years in duration. Such contracts must contain a provision allowing the county board to terminate the contract by majority vote within 120 days of a new county board member being sworn into office.

SB 1951 (Mulrooney)
FOIA – EXEMPTIONS INSURANCE
Status: Senate Assignments
Deletes language that exempts from copying and inspection: (i) any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool; and (ii) insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

From left: Donald Littie (Jersey County), Garret Bilyew (Crawford County), Robert White (Jefferson County), Matthew Prochaska (Kendall County), Deb Warin (Grundy County), and Tom Walsh (LaSalle County).

The Illinois Association of County Board Members recently announced its 2015-16 Legislative Committee. President William Alstom made the nominations during the annual Board of Directors meeting on February 19 in Springfield. The Committee will guide the Association’s legislative priorities through the 99th Illinois General Assembly. In addition to those members pictured the IACBM Legislative Committee includes: Merri Berlage (Jo Daviess County), Richard Brunk (Rock Island County), Russ Crawford (Tazewell County), Kim Gouker (Ogle County), James Healy (DuPage County), Max Mitchell (Champaign County), and Denise Winfrey (Will County).
The Turnaround Agenda – Local Government Empowerment and Reform

WHEREAS, Illinois state law creates a "one size fits all" approach to collective bargaining for local units of governments. This approach creates added costs which are ultimately passed on to taxpayers.

WHEREAS, Voters and local officials should determine what is a subject of bargaining - not the State.

WHEREAS, Local control of bargaining would allow voters or local governments to determine if certain topics should be excluded from collective bargaining, including contracting, wages, provisions of health insurance, use of employee time, required levels of staffing, procedures and criteria for personnel evaluations, academic performance, conduct, and discipline in school.

WHEREAS, State law sets thresholds for workers on state and local construction projects increasing costs significantly.

WHEREAS, State law has increased utilization of Project Labor Agreements for construction projects.

WHEREAS, Repealing the Illinois Prevailing Wage Law and the requirements for Project Labor Agreements would allow local governments more control over construction and project costs.

WHEREAS, More than 280 unfunded mandates have been imposed in recent years on communities across Illinois, costing those communities billions. Rolling back mandates will create more flexibility in local government budgets.

WHEREAS, Illinois' workers' compensation costs are the seventh highest in the nation – and more than double the costs in Indiana.

WHEREAS, Updating how injuries are apportioned to ensure employers pay for injuries that occur on the job, a clarification regarding the definition of “traveling employees” to ensure a reasonable standard that excludes risks that would impact the general public, and implementation of American Medical Association guidelines when determining impairment would result in major cost savings for local governments.

WHEREAS, Voters in our community should be allowed to decide via referendum whether or not employees should be forced to join a union or pay dues as a condition of employment.

WHEREAS, Local empowerment zones will help attract jobs and make our community more attractive for businesses.

WHEREAS, Local governments face unfunded liabilities that threaten core services and functions of government; state action on pension reform for future work should provide local governments the ability to address pension reform for future work as well.

THEREFORE, BE IT RESOLVED, _____________ endorses major reforms in state government that will encourage local control, reduce costs on local governments, empower local voters, and increase competitiveness in our community.