AGENDA

1. Roll Call and Determination of a Quorum

2. Approval of Agenda

3. Approval of June 24, 2015 Meeting Minutes

4. Status Reports
   - Circuit Clerk
   - Courthouse
   - Court Services
   - Public Defender
   - Sheriff’s Office/Court Security
   - State’s Attorney

5. Legislative Report and Update

6. Old Business

7. New Business

   Kendall/Kane Juvenile Detention Inter-Governmental Agreement

8. Action Items for County Board

9. Public Comments

10. Executive Session

11. Adjournment
COUNTY OF KENDALL ILLINOIS
JUDICIAL LEGISLATIVE COMMITTEE
Wednesday, June 24, 2015
Courthouse Jury Assembly Room
807 W. John Street, Yorkville IL

Meeting Minutes

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

Roll Call
Committee Members Present: Matt Prochaska - here, Judy Gilmour - here, Dan Koukol - present, Bob Davidson - yes, John Purcell (arrived at 3:03 p.m.)

Present: Sheriff Dwight Baird, David Berault, Vickie Chuffò, John A. Shaw, Tina Varney, Eric Weis

Approval of Agenda - Member Koukol made a motion to approve the agenda, second by Member Gilmour. With all in agreement, the motion carried.

Approval of Minutes - Member Koukol made a motion to approve the April 29, 2015 minutes, second by Member Gilmour. Minutes adopted with all in agreement.

Status Reports

Circuit Clerk – No report

Courthouse – No report

Court Security – No report

Court Services/Probation – Tina Varney distributed the monthly juvenile detention and board & care reports. Ms. Varney stated the pre-trial program has been going on since April 1, 2015 and they have done 161 bond reports, and are monitoring 49 people on pre-trial supervision. There are currently 14 people on GPS, with 3 on high-risk cases and all 3 also supervising a victim as well.

Public Defender – Vickie Chuffò distributed the monthly report, and shared that they have been busy with trials this week, as well as increased felony, misdemeanor, traffic and juvenile cases.

Sheriff’s Office – Sheriff Baird shared that they have also been busy with trials this week, and provided guard support for defendants that were in custody.

Sheriff Baird stated that the 911 surcharge bill is still awaiting signature from the Governor, and will hopefully be signed by July 2015, so funding will begin. Sheriff Baird indicated there
would be a slight increase to 87.5 cents from 75 cents previously for land lines and cell phones. The state wants to reduce the number of dispatch centers and ETS Boards, but Sheriff Baird reported that Kendall County would not be affected because we are already in compliance with KcnCom and the areas they serve.

State's Attorney – Eric Weis reported that there is a going away party for retiring Clerk of Court Rebecca Morganegg on Tuesday, June 30, 2015 at 2:30 p.m. in the Jury Assembly Room.

Mr. Weis stated that his office is also very busy with jury trials this month.

Legislative Report and Update – Chair Prochaska notified the committee that Governor Rauner is asking all counties to return any unused grant money from the previous fiscal year to the state. Mr. Prochaska stated that there is still no approved state budget, but that more information will be forwarded as available.

Old Business - None

New Business

➢ House Bill 2641 – Chair Prochaska explained the house bill dealing with juror fees, the reduced fees paid to jurors of $20 for the first two days, and $32 for each additional day. In addition, the County Board could include mileage or other types of reimbursement. Additionally, the bill would allow any County Board to enact an ordinance or resolution to collect a Juror Service fee, not to exceed $15.00, on any civil action. The county wouldn't be able to implement any fee until the beginning of the next fiscal year.

Items for COW - None

Actions Items for County Board – None

Public Comments - None

Executive Session – None

Adjournment – A motion was made by Member Koukol, second by Member Purcell to adjourn the Judicial Legislative Committee at 3:28 p.m. With all in agreement, the meeting adjourned.

Respectfully Submitted,

Valarie McClain
Administrative Assistant
TO: Legislative/Judicial Committee Members

FROM: Victoria Chuffo, Public Defender; Monthly Report

NUMBER OF CASES ASSIGNED TO EACH PUBLIC DEFENDER
AS OF AUGUST 26, 2015

VICTORIA CHUFFO, Public Defender

- 82 cases / last month 64 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 106 cases / last month 115 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 187 cases / last month 207 cases - Felony/ Juvenile cases

ERIN SHANAHAN, Asst. Public Defender

- 312 cases/ last month 311 cases - Misdemeanor/Traffic/Juvenile cases

CHRISTOPHER WARBOLD, Asst. Public Defender

- 144 cases / last month 167 cases - Misdemeanor/Traffic cases

My office has been appointed a total of 298 new cases between July 22, 2015 and August 26, 2015. The Kendall County Public Defender’s Office currently has 831 open cases as of today’s date; August 26, 2015. The number of appointments for felonies, misdemeanors, traffic and juvenile delinquency cases have increased from last month.
To: Kendall County Board * Judicial/Legislative Committee  
From: Tina J. Varney, Director * Kendall County Court Services  
Date: August 26, 2015  
Re: Juvenile Detention and Board & Care Monthly Report * Costs Incurred

**Juvenile Detention – FY2015**

<table>
<thead>
<tr>
<th>Month</th>
<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>
<th>Same Time FY2012</th>
<th>Same Time FY2011</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: 34,900.00 (as of 07/30/2015)
- Amount Remaining: $ 65,100.00

**Juvenile Board & Care - FY2015**

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<th>Total Cost Incurred</th>
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<tr>
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Kendall County Fiscal Year 2015 (Juvenile Board & Care):
- Amount Budgeted: $100,000.00
- Amount Expended: 26,803.20 (as of 07/30/2015)
- Amount Remaining: $ 73,196.80
Illinois Association of County Board Members

LEGISLATIVE UPDATE

At a press conference earlier today, Gov. Rauner announced that his Administration would release a pension reform bill affecting the Chicago and downstate/suburban public safety pension funds, the Chicago Teachers' Pension Fund, and the Cook County Pension Fund. The public safety pension reforms involve a choice provision concerning COLA reductions and an extension to the pension funding ramp.

The Administration released the following one-page summaries of the Governor's proposals and accompanying bills.

SUMMARIES ATTACHED:
Workers' Comp
Property Tax
Lawsuit Reform
Pension Reform

BILLS ATTACHED:
Workers' Comp Legislation
Property Tax Legislation
Lawsuit Reform Legislation
Pension Reform Legislation
Redistricting Amendment
Term Limits Amendment
Continuing Appropriations Legislation

We are currently reviewing the bills and will reach out to legislative leaders to obtain their position on the Governor's proposals. We will keep you apprised.

--
Kelly Murray, Executive Director
Taylor Anderson, Legislative Director
Illinois Association of County Board Members and Commissioners
413 West Monroe
Springfield, Illinois 62704
(217) 528-5331
www.ilcounty.org
Workers Comp Compromise Proposals

- The proposed legislation regarding causation, traveling employee, AMA guidelines and medical fee schedule reduction remains unchanged from SB 994 with clarification to the language regarding 30% fee schedule reduction based on feedback from the Medical Society. The administrative changes in SB 994, proposed by the Commission, including the removal of mandatory arbitration rotations are also included.

- This legislation also contains proposals from the Senate Democrats including an ombudsmen program, changes to electronic billing, the establishment of a commission to study workers’ compensation laws, system improvements at the Commission and clarification to the use of the AMA guidelines.

  - **Ombudsmen Program**: The draft creates a new program at the Commission called the Workers’ Compensation Ombudsmen Program to assist injured workers. The Ombudsman will assist injured workers with using a newly created information portal on the IWCC’s website to access case information, provide information regarding workers’ compensation fraud, assist injured workers with referrals to rehab and work placement program and respond to inquiries about the system.

  - **Electronic Billing**: This drafts includes additional language regarding electronic billing including that the rules regarding electronic claims must have an enforcement mechanism and that health care providers have at least 15 business days to comply with records requested by employers/insurers for the authorization of payment of workers’ compensation claims. In addition, this moves the responsibility for promulgating these rules from the Department of Insurance to the Commission.

  - **WEAR Commission**: Commission tasked with updating the Workers’ Compensation Code.

  - **System Improvements**: Mandates that the Commission procure an updated IT system by January 1, 2017. The funding for this upgrade comes from a settlement in a litigation case.

  - **Move the Fraud Unit into the Commission**: This proposes moving the Workers’ Compensation Fraud Unit from DOI to the Commission.

  - **Fixing Ambiguities of the AMA Guidelines**: Draft clarifies that the Commission must consider the AMA impairment report with the four stated factors if the report exists. This codifies the current practice that if the parties agree, an AMA report is not mandatory. AMA reports are expensive and not always necessary in smaller cases.
Lawsuit Reform

Venue Reform
Currently lawsuits can be filed in a county even if the plaintiff or defendant doesn’t reside in that county venue provisions. Legislation is needed to make it more difficult for plaintiffs to “venue shop.”

Proposal
- Can only sue corporations, associations and partnerships where the entity has an office, as opposed to where the entity has an office and does business.
  - Working Group Compromise: Instead of a direct limit on where a lawsuit can be filed, the revised proposal provides a priority ranking for an appropriate venue based first on office location of a defendant, but if there is no office in state, a suit would be allowed where the defendant does business.
- A lawsuit must be dismissed for lack of venue if there is not a defendant who is an Illinois resident and the transaction or cause of action did not occur in the Illinois.
  - Compromise: A lawsuit without an in-state defendant can proceed if the cause of action primarily arose in Illinois
- Deletes the provision that an action against an insurance company may be brought in county in which a plaintiff resides.

Joint and Several Liability Reform
Current law allows for trial lawyers to target deep-pocketed defendants, even if other defendants bear responsibility. One defendant could be liable for all damages caused by numerous defendants.

Proposal
- For both joint and several liability cases, adds that any third-party defendants who could have been sued, can be considered for the purposes of determining other defendant’s liability. This will allow defendants to point to other potentially liable defendants, even if they are not named in the lawsuit, in order to reduce their own liability.
  - Compromise: Increase the threshold for joint liability to 50% from 25%, to bring in line with other states.
  - Compromise: Makes defendant jury instructions the same as plaintiff instructions to provide a level playing field in the determination of fault

Truth in Medical Expense Awards
Currently, Illinois law allows for the introduction of any medical expense billed when determining damages. In actuality, while doctors and hospitals may bill large amounts, only a small percentage of those bills are actually paid by the patient or health insurance. This results in inflated medical expense verdicts.

Proposal
The introduction of medical expenses should be limited to only those expenses actually paid by the patient.

- **Working Group Compromise**: To address the issue of uninsured plaintiffs, language was added to allow for expected payments and not just paid bills.

This draft clarifies that all the changes made by this legislation apply to actions filed on or after its effective date.
SYNOPSIS AS INTRODUCED:

735 ILCS 5/2-101 from Ch. 110, par. 2-101
735 ILCS 5/2-102 from Ch. 110, par. 2-102
735 ILCS 5/2-103 from Ch. 110, par. 2-103
735 ILCS 5/2-110 new from Ch. 110, par. 2-1107.1
735 ILCS 5/2-1107.1 from Ch. 110, par. 2-1117
735 ILCS 5/2-1117
735 ILCS 5/2-1205.2 new

Amends the Code of Civil Procedure. Deletes a provision authorizing an action to be commenced in any county when all defendants are nonresidents of this State. Limits venue for actions against corporations, partnerships, and insurance companies. Provides that in actions in which no party is a resident of this State and over which another forum has jurisdiction, the court shall, upon motion, dismiss the action subject to specified conditions. Provides that joint and several liability attaches when a defendant is found to be 50%, rather than 25%, at fault. Limits amounts recovered for medical care, treatment, or services and caretaking expenses to the amounts actually paid for those expenses regardless of the amounts initially billed.

LRB099 13033 HEP 36926 b
Pension Reform Bill

Summary:

- Applies consideration model to State of Illinois pension plans, downstate public safety plans and Chicago Teachers' Pension Fund
- Adopts Mayor Emanuel's pension bill, and adds downstate public safety while providing more local control over funding and benefits
- Provides Cook County a choice of their pension reform bill or a consideration model
- Grants local governments the right to restructure finances

Changes Based on the Consideration Framework

- **SERS**
  - After removing certain subjects from collective bargaining, create a baseline independent of pension benefits:
    - Wages guaranteed not to decline for five years;
    - Vacation reset to two weeks (under 15 years of service) and three weeks (15+ years of service);
    - Adjusted vacancy/overtime rights; and
    - Overtime pay normalized to match federal law, kicking in at 40 hours, not 37.5
  - Create several optional packages to incentivize different groups of employees to transition into Tier 2 pension formula prospectively:
    - **Salary package**: $2000 transition bonus; one-time $3000 salary increase; OT at 37.5 hours; no additional vacation
    - **Vacation package**: $2000 transition bonus; one-time $2000 salary increase; OT at 37.5 hours; 2 additional weeks of vacation
    - **Overtime/vacancy package**: $2000 transition bonus; no salary increase; OT at 37.5 hours; 2 additional weeks of vacation; priority rights in work schedule, vacation, overtime, and "bumping"

- **TRS, SURNS, GARS, CTPF, and Downstate Police and Fire Tier 1 employees must choose between:**
  - A. COLA shifts from 3% compounded (Tier 1 COLA) to the lesser of 3% or ½ CPI non-compounded (Tier 2 COLA) OR
  - B. All future salary increases are not included in pension benefit calculations

- **Cook County must choose between:**
  - A. Pension plan as introduced by Cook County (except with collective bargaining changes discussed above) OR
  - B. A consideration-based plan that prompts employees to choose between a reduced COLA benefit or agreeing that all future salary increases are not included in pension benefit calculations
Public Safety Changes

- Chicago Police and Fire funding schedule is changed from the current target of 90% by 2040 to 90% by 2055 including a 5 year period from FY16 – FY21 where mandatory payments are set in statute.
- Downstate Police and Fire funding schedules would be treated the same as Chicago Police and Fire, changing the current target of 90% funded by 2040 to 90% funded by 2055.
- 642 individual downstate police and fire funds are consolidated under IMRF for investment efficiency.
- Public Safety Employee Benefit Act definition of catastrophic injury is changed to clearly state that it would preclude the injured employee from performing gainful work.
- Tier 3 benefits are created for newly hired public safety employees. Tier 3 is a hybrid DB/DC with local control on DC benefits.
- Contains all aspects of Chicago's SB777 including allocating casino revenue to the pension funds.

Local Government Restructuring

- Local government restructuring is allowed by authorizing a local public entity to initiate a Chapter 9 filing after review from a neutral evaluation process or the declaration of a fiscal emergency.

Chicago Teachers' Pension Funding

- The State will pay the employer normal cost and the cost of defraying health insurance to CTPF contributions for FY16 and FY17.
- Requires CPS to end the practice of picking up the employee pension contribution.
99TH GENERAL ASSEMBLY
State of Illinois
2015 and 2016

INTRODUCED ______________, BY

SYNOPSIS AS INTRODUCED:

See Index

Creates the Local Government Bankruptcy Neutral Evaluation Act. Authorizes a neutral evaluation process if a local public entity is unable to meet its financial obligations. Provides for the selection of an evaluator, the evaluation process, and declaration of a fiscal emergency. Amends the Illinois Public Labor Relations Act and the Illinois Educational Labor Relations Act. Prohibits collective bargaining and negotiation over certain matters. Amends various Acts concerning State employees to create new standards for overtime, vacation, and sick days. Creates an Employee Consideration Pension Transition Program that provides 3 compensation programs for Tier 1 members of the State Employees' Retirement System who elect to become Tier 2 members. Amends the Illinois Pension Code. In the State Employee Article, requires every Tier 1 member to elect whether to remain in Tier 1 or change to Tier 2 with respect to future service. In the General Assembly, Downstate Police, Downstate Firefighter, State Universities, Downstate Teachers, and Chicago Teachers Articles, requires Tier 1 employees to make an irrevocable election to either agree or not to agree to have the amount of the automatic annual increases in their annuities calculated under Tier 2. Establishes a new defined benefit and defined contribution plan for downstate and Chicago police and firefighters new hires. Requires that downstate police and downstate firefighter funds transfer all investment assets to IMRF. Creates the Cook County Pension Reform Act. Allows the County Board of Cook County, by resolution, to select between 2 options relating to changes in employee benefits. Amends the Public Safety Employee Benefits Act. Adds a definition of "catastrophic injury". Makes other changes. Effective immediately.

LRB099 13050 RPS 36929 b

FISCAL NOTE ACT MAY APPLY
PENSION IMPACT ✓
STATE MANDATES ACT MAY REQUIRE REIMBURSEMENT

A BILL FOR
Property Tax Freeze and School Funding Compromise

1. Property Tax Freeze
   - Freeze property tax extensions for all units of government;
   - Two year sunset on December 31, 2018.

2. School Funding Reform
   - Increase FY16 lump sum for high poverty school districts from $85m to $159m (+$74m);
   - Maintain minimum 92% pro-ration of GSA and poverty lump sum in FY17;
   - Establish a School Funding Reform Commission chaired by Superintendent Tony Smith and comprised of two members appointed by the Governor and two each appointed by the four legislative leaders – by a majority vote, the commission would be charged with recommending a new GSA funding formula prior to Dec. 31, 2016;
   - If the Commission approves a recommendation for a new formula, the current funding formula law and the Chicago Block Grant provisions would sunset on June 1, 2017.

3. Local Control of Collective Bargaining Compromise
   - Empower local governments and school districts with the ability to determine what topics will be subjects of collective bargaining.

4. Competitive Bidding Reform Compromise
   - Allow local governments and school districts to determine their own prevailing wage requirements.
99TH GENERAL ASSEMBLY
State of Illinois
2015 and 2016

TNTROUCED ________________, BY

SYNOPSIS AS INTRODUCED:
See Index

Amends the Illinois Public Labor Relations Act. Prohibits public employees and labor organizations from collectively bargaining on certain specified matters. Provides that governing authorities of units of local government, school districts, and community college districts, may by ordinance or resolution prohibit those activities from collective bargaining. Allows the registered voters of units of local government, school districts, and community college districts to petition to have the question of whether those activities should be prohibited from collective bargaining certified and presented to the election authority. Makes similar changes in the Illinois Educational Labor Relations Act. Amends the Property Tax Code. Provides that, for the 2016 levy year and 2017 levy year, the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units and school districts. Provides that, for the 2016 levy year and the 2017 levy year, the extension limitation under the Property Tax Extension Limitation Law is 0% or the rate of increase approved by the voters. Preempts home rule powers. Amends the Prevailing Wage Act. Excludes from the scope of the Act units of local government and school districts. Excludes from the scope of the term "public works" any public works constructed by a unit of local government or school district. Amends various other Acts to make related changes. Amends the State Mandates Act to require implementation without reimbursement. Contains legislative findings.

LRB099 13041 JLK 36918 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR
INTRODUCED ______________, BY

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-22

Amends the State Budget Law of the Civil Administrative Code of Illinois. For FY16, provides a continuing appropriation for each State agency to meet personnel expenditures for each payroll period during which appropriations for personnel expenditures have not been made available to that State agency. Defines "State agency" to include all State agencies, the office of any constitutional officer, State universities, community colleges, and any agency, board, commission, or other instrumentality of State government to which an appropriation for personnel expenditures was made from a State fund in FY15. Defines "personnel expenditure" and "applicable State fund". Effective immediately.

LRB099 13051 JWD 36930 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR
Amends the Workers' Compensation Act. Provides that, to obtain compensation under the Act, an employee bears the burden of showing, by a preponderance of the credible evidence, that he or she has sustained accidental injuries arising out of and in the course of the employment and the accidental injuries arising out of and in the course of the employment are the major contributing cause of the medical condition or injury for which compensation is being sought. Defines "major contributing cause". Provides that accidental injuries are not considered to be arising out of and in the course of employment under specified circumstances; adds provisions regarding certain injuries; provides that an injury, its occupational cause, and any resulting manifestations or disability must be established to a reasonable degree of medical certainty, based on objective relevant medical findings; and adds provisions regarding employees who are traveling or on a break. Makes changes regarding workers' compensation insurance. Provides for a reduction of an award by amounts an injured worker has previously received for prior injuries that resulted in permanency awards. Reduces certain payments under fee schedules. Provides that the Illinois Workers' Compensation Commission, rather than the Director of Insurance, shall adopt rules regarding electronic claims. Provides that the Commission shall establish the Workers' Compensation Ombudsman Program within the Commission and sets forth the Program's responsibilities. Creates the Workers' Compensation Edit, Alignment, and Reform Commission to develop a proposed recodification of the Workers' Compensation Act. Provides that the Commission shall procure and implement a computer system to replace its current computer system. Makes changes regarding unlawful acts and penalties. Makes other changes.
99TH GENERAL ASSEMBLY
State of Illinois
2015 and 2016
SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT

INTRODUCED __________________, BY

SYNOPSIS AS INTRODUCED:

ILCON Art. IV, Sec. 2.5 new
ILCON Art. V, Sec. 2

Proposes to amend the Legislature and Executive Articles of the Illinois Constitution. Provides that a person may not be elected to the office of State Senator or State Representative, or a combination of those offices, for terms totalling more than 10 years; service before the second Wednesday in January of 2017 shall not be considered in the calculation of a person's service. Provides that a person may not be elected to any Executive Branch office, or any combination of Executive Branch offices, for terms totalling more than 8 years; service before the second Monday in January of 2017 shall not be considered in the calculation of a person's service.
SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 2.5 to Article IV and amend Section 2 of Article V of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 2.5 new)

SECTION 2.5. TERM LIMITS. A person may not be elected to the office of State Senator or State Representative, or a combination of those offices, for terms totaling more than 10 years. Service before the second Wednesday in January of 2017 shall not be considered in the calculation of a person's service.

ARTICLE V
THE EXECUTIVE
(ILCON Art. V, Sec. 2)

SECTION 2. TERMS

These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and, except in the case of the Lieutenant Governor, until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter. A person may not be elected to any Executive Branch office, or any combination of Executive Branch offices, for terms totalling more than 8 years. Service before the second Monday in January of 2017 shall not be considered in the calculation of a person's service.

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.
99TH GENERAL ASSEMBLY
State of Illinois
2015 and 2016
SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT

INTRODUCED __________, BY

SYNOPSIS AS INTRODUCED:

TLOON Art. IV, Sec. 3

Proposes to amend the Legislature Article of the Illinois Constitution. Creates the Independent Redistricting Commission to adopt and file with the Secretary of State a redistricting plan for Legislative and Representative Districts. Provides for the selection of Commissioners and establishes the authority of a Special Commissioner to design a redistricting plan in the event that the Commission fails to properly adopt and file a redistricting plan. Effective beginning with redistricting in 2021 and applies to members elected in 2022 and thereafter.
SENATE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL
ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
CONCURRING HEREIN, that there shall be submitted to the
electors of the State for adoption or rejection at the general
election next occurring at least 6 months after the adoption of
this resolution a proposition to amend Section 3 of Article IV
of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

(ILCON Art. IV, Sec. 3)
SECTION 3. LEGISLATIVE REDISTRICTING
(a) The Independent Redistricting Commission comprising 11
Commissioners shall adopt and file with the Secretary of State
a redistricting plan for Legislative Districts and
Representative Districts by June 30 of the year following each
Federal decennial census. Legislative Districts shall be
contiguous and substantially equal in population.
Representative Districts shall be contiguous and substantially
equal in population. The redistricting plan shall comply with
Federal law. Subject to the foregoing, the Commission shall
apply the following criteria: (1) the redistricting plan shall
not dilute or diminish the ability of a racial or language
minority community to elect the candidates of its choice,
including when voting in concert with other persons; (2) the
redistricting plan shall respect the geographic integrity of
units of local government; and (3) the redistricting plan shall
respect the geographic integrity of communities sharing common
social and economic interests, which do not include
relationships with political parties or candidates for office.
The redistricting plan shall not either intentionally or unduly
discriminate against or intentionally or unduly favor any
political party, political group, or particular person. In
designing the redistricting plan, the Commission shall
consider party registration and voting history data only to
assess compliance with the requirements in this subsection (a).

(b) For the purpose of conducting the Commissioner
selection process, an Applicant Review Panel comprising three
Reviewers shall be chosen in the manner set forth in this
subsection (b). Beginning not later than January 1 and ending
not later than March 1 of the year in which the Federal
decennial census occurs, the Auditor General shall request and
accept applications to serve as a Reviewer. The Auditor General
shall review all applications and select a pool of 30 potential
Reviewers. The Auditor General should select applicants for the
pool of potential Reviewers who would operate in an ethical and
non-partisan manner by considering whether each applicant is a
resident and registered voter of the State and has been for the
four years preceding his or her application, has demonstrated
understanding of and adherence to standards of ethical conduct,
and has been unaffiliated with any political party for the
three years preceding appointment. By March 31 of the year in
which the Federal decennial census occurs, the Auditor General
shall publicly select by random draw the Panel of three
Reviewers from the pool of potential Reviewers.

(c) Beginning not later than January 1 and ending not later
than March 1 of the year in which the Federal decennial census
occurs, the Auditor General shall request and accept
applications to serve as a Commissioner on the Independent
Redistricting Commission. By May 31, the Panel shall select a
pool of 100 potential Commissioners. The Panel should select
applicants for the pool of potential Commissioners who would be
diverse and unaffected by conflicts of interest by considering
whether each applicant is a resident and registered voter of
the State and has been for the four years preceding his or her
application, as well as each applicant's prior political
experience, relevant analytical skills, ability to contribute
to a fair redistricting process, and ability to represent the
demographic and geographic diversity of the State. The Panel
shall act by affirmative vote of two Reviewers. All records of
the Panel, including applications to serve on the Panel, shall
be open for public inspection, except private information about
applicants for which there is no compelling public interest in
disclosure.
(d) Within 45 days after the Panel has selected the pool of
100 potential Commissioners, but not later than June 23 of the
year in which the Federal decennial census occurs, the Speaker
and Minority Leader of the House of Representatives and the
President and Minority Leader of the Senate each may remove up
to five of those potential Commissioners. Thereafter, but not
later than June 30, the Panel shall publicly select seven
Commissioners by random draw from the remaining pool of
potential Commissioners; of those seven Commissioners,
including any replacements, (1) the seven Commissioners shall
reside among the Judicial Districts in the same proportion as
the number of Judges elected therefrom under Section 3 of
Article VI of this Constitution, (2) two Commissioners shall be
affiliated with the political party whose candidate for
Governor received the most votes cast in the last general
election for Governor, two Commissioners shall be affiliated
with the political party whose candidate for Governor received
the second-most votes cast in such election and the remaining
three Commissioners shall not be affiliated with either such
political party, and (3) no more than two Commissioners may be
affiliated with the same political party. The Speaker and
Minority Leader of the House of Representatives and the
President and Minority Leader of the Senate each shall appoint
one Commissioner from among the remaining applicants in the
pool of potential Commissioners on the basis of the appointee's
contribution to the demographic and geographic diversity of the
Commission. A vacancy on the Panel or Commission shall be
filled within five days by a potential Reviewer or potential
Commissioner from among the applicants remaining in the pool of
potential Reviewers or potential Commissioners, respectively,
in the manner in which the office was previously filled.

(e) The Commission shall act in public meetings by
affirmative vote of six Commissioners, except that approval of
any redistricting plan shall require the affirmative vote of at
least (1) seven Commissioners total, (2) two Commissioners from
each political party whose candidate for Governor received the
most and second-most votes cast in the last general election
for Governor, and (3) two Commissioners not affiliated with
either such political party. The Commission shall elect its
chairperson and vice chairperson, who shall not be affiliated
with the same political party. Six Commissioners shall
constitute a quorum. All meetings of the Commission attended by
a quorum, except for meetings qualified under attorney-client
privilege, shall be open to the public and publicly noticed at
least two days prior to the meeting. All records of the
Commission, including communications between Commissioners
regarding the Commission's work, shall be open for public
inspection, except for records qualified under attorney-client
privilege. The Commission shall adopt rules governing its
procedure, public hearings, and the implementation of matters
under this Section. The Commission shall hold public hearings
throughout the State both before and after releasing the
initial proposed redistricting plan. The Commission may not adopt a final redistricting plan unless the plan to be adopted without further amendment, and a report explaining its compliance with this Constitution, have been publicly noticed at least seven days before the final vote on such plan.

(f) If the Commission fails to adopt and file with the Secretary of State a redistricting plan by June 30 of the year following a Federal decennial census, the Chief Justice of the Supreme Court and the most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall appoint jointly by July 31 a Special Commissioner for Redistricting. The Special Commissioner shall adopt and file with the Secretary of State by August 31 a redistricting plan satisfying the requirements set forth in subsection (a) of this Section and a report explaining its compliance with this Constitution. The Special Commissioner shall hold at least one public hearing in the State before releasing his or her initial proposed redistricting plan and at least one public hearing in a different location in the State after releasing his or her initial proposed redistricting plan, and before filing the final redistricting plan with the Secretary of State. All records of the Special Commissioner shall be open for public inspection, except for records qualified under attorney-client privilege.

(g) An adopted redistricting plan filed with the Secretary of State shall be presumed valid and shall be published
promptly by the Secretary of State.

(h) The Supreme Court shall have original jurisdiction in cases relating to matters under this Section.

(a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.

(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the Legislative Districts and the Representative Districts.

If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.

The Speaker and Minority Leader of the House of Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission.
Not later than August 10, the Commission shall file with
the Secretary of State a redistricting plan approved by at
least five members.

If the Commission fails to file an approved redistricting
plan, the Supreme Court shall submit the names of two persons,
not of the same political party, to the Secretary of State not
later than September 1.

Not later than September 5, the Secretary of State publicly
shall draw by random selection the name of one of the two
persons to serve as the ninth member of the Commission.

Not later than October 5, the Commission shall file with
the Secretary of State a redistricting plan approved by at
least five members.

An approved redistricting plan filed with the Secretary of
State shall be presumed valid, shall have the force and effect
of law and shall be published promptly by the Secretary of
State.

The Supreme Court shall have original and exclusive
jurisdiction over actions concerning redistricting the House
and Senate, which shall be initiated in the name of the People
of the State by the Attorney General.

(Source: Amendment adopted at general election November 4,
1980.)

SCHEDULE

This Constitutional Amendment takes effect beginning with
redistricting in 2021 and applies to the election of members of
the General Assembly in 2022 and thereafter.
INTRODUCED ____________., BY

SYNOPSIS AS INTRODUCED:

15 ILCS 20/50-22

Amends the State Budget Law of the Civil Administrative Code of Illinois. For FY16, provides a continuing appropriation for each State agency to meet personnel expenditures for each payroll period during which appropriations for personnel expenditures have not been made available to that State agency. Defines "State agency" to include all State agencies, the office of any constitutional officer, State universities, community colleges, and any agency, board, commission, or other instrumentality of State government to which an appropriation for personnel expenditures was made from a State fund in FY15. Defines "personnel expenditure" and "applicable State fund". Effective immediately.

LRB099 13051 JWD 36930 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR
AN ACT concerning State government.

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

Section 5. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-22 as follows:

(15 ILCS 20/50-22)

Sec. 50-22. Funding for salaries of General Assembly members, State employees, and judges; legislative operations.

(a) Beginning July 1, 2014, the aggregate appropriations available for salaries for members of the General Assembly and judges from all State funds for each State fiscal year shall be no less than the total aggregate appropriations made available for salaries for members of the General Assembly and judges for the immediately preceding fiscal year.

(b) Beginning July 1, 2014, the aggregate appropriations available for legislative operations from all State funds for each State fiscal year shall be no less than the total aggregate appropriations made available for legislative operations for the immediately preceding fiscal year. For purposes of this subsection (b), "legislative operations" means any expenditure for the operation of the Office of the Auditor General, the House of Representatives, the Senate, the
Legislative Ethics Commission, the Office of the Legislative
Inspector General, the Joint Committee on Legislative Support
Services, and the legislative support services agencies.

(b-5) Beginning July 1, 2015 and continuing through June
30, 2016, there is hereby appropriated to each State agency
from the applicable State funds, on a continuing basis, the
amount necessary for personnel expenditures of the State
agency, as jointly certified by the State agency and the
Governor's Office of Management and Budget, for each payroll
period during which appropriations for personnel expenditures
have not been made available to the State agency for Fiscal
Year 2016.

A continuing appropriation provided by this subsection
(b-5) is authority, and not an obligation, to expend up to the
amount appropriated. A continuing appropriation provided by
this subsection (b-5) does not confer any right or expectation
on any person, group, or entity in continued employment or the
payment of personnel expenditures. This subsection (b-5) does
not affect the establishment of particular wages, salaries, or
other personnel expenditure amounts.

For the purposes of this subsection (b-5):

(1) "State agency" means the office of any
constitutional officer of the State government and any
agency, authority, board, commission, department, State
university, or other instrumentality of the State
government to which an appropriation for personnel
expenditures from a State fund was made in Fiscal Year 2015, or under which personnel expenditures were paid in Fiscal Year 2015. "State agency" also includes any community college district.

(2) "Personnel expenditure" means an expenditure for personal services, group insurance for employees paid out of funds other than the General Revenue Fund, State contributions to Social Security, and State contributions to a State retirement system, other than an expenditure described in subsection (a) or (b) of this Section.

(3) "Applicable State fund" means, with respect to a State agency, the General Revenue Fund or other State fund from which moneys were appropriated in Fiscal Year 2015 to the State agency for personnel expenditures.

(c) If for any reason the aggregate appropriations made available are insufficient to meet the levels required by subsections (a), (b), and (b-5) of this Section, this Section shall constitute a continuing appropriation of all amounts necessary for these purposes. The General Assembly may appropriate lesser amounts by law.

(Source: P.A. 98-682, eff. 6-30-14.)

Section 99. Effective date. This Act takes effect upon becoming law.