



**LEGISLATIVE SUBCOMMITTEE OF
THE MCLEAN COUNTY BOARD
AGENDA**

Room 404, Government Center,
115 E. Washington Street, Bloomington, IL
And Via Remote Attendance
Tuesday, April 28, 2020
2:30 p.m.

1. Call to Order – Chairman Soeldner
2. Approval of Minutes – January 15, 2019 Stand up
February 19, 2020
3. Appearance by Members of the Public and County Employees

NOTE CHANGE: To promote health and safety, we encourage the public to follow the Gubernatorial ‘shelter in place’ Executive Order. Therefore, in addition to standard (in-person) public comments at the McLean County Board Committee meetings, we will accept public comment via email as an option. Individuals or groups can email statements to County Administration at admin@mcleancountyil.gov by Tuesday, March 31, 2020 at 4:30 pm.

Statements received by the deadline will be read aloud as part of the record, pursuant to the time parameters in McLean County Board Rules (five minutes for individuals or group spoke person). The entirety of the statement will be placed in the official minutes, even if the statement reads longer than the time limit allows.

We take very seriously the Centers for Disease Control and Prevention (CDC) recommendations to socially distance and the Governor’s Executive Order 2020-10, wherein no more than ten people can convene in one place. **We encourage you to submit your public comment via email.**

If you choose to provide comment in person, requests must be received by County Administration pursuant to time lines in the McLean County Board Rules. Upon submission, you will receive written instructions regarding how to enter the Government

Center (which is now closed to the public). McLean County Board rules allow for a total maximum of 30 minutes allotted during each committee meeting. Public comment and the emailed comments will proceed in the order in which they are received.

Finally, the public will be able to view the McLean County Board Meeting, live, on Facebook and YouTube. Links can be found at <https://www.mcleancountyil.gov/>

4. Items for Action:

a. Request approval of 2020 Legislative Program for McLean County.

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5. Other Business and Communication

6. Adjournment



McLean County Government
Office of the County Administrator
115 East Washington Street, Suite 401
Bloomington, Illinois 61701

To: Legislative Committee Chair James Soeldner and Members of the Legislative Subcommittee

From: Camille Rodriguez, County Administrator

Date: April 24, 2020

Re: Synopsis of Legislative Subcommittee meetings and actions to date, for your review and reference

The Legislative Subcommittee meets to set McLean County Government's Legislative agenda, which is generally completed in December, prior to the beginning of the next fiscal year.

We did not convene the Legislative Subcommittee in December of 2019; instead, it convened February 19, 2020. The attachment in your packet represents the work completed on that day. At that meeting, Legislative Committee Members tabled approval of the Issue: Criminal Traffic Assessment Act, so members could research and suggest alternative language, if needed; in addition, County Administration was tasked with researching what other states have done regarding statewide stewardship for waste.

Following the February 19, 2020 meeting, the next step would have included (following County Administration's completion of the research) bringing the proposed Legislative Agenda to Executive Committee and then to County Board. However, between February 19 and March 10, 2020, there was not an opportunity to convene the Legislative Subcommittee for discussion.

In addition, County Administration recommended against attempting to complete more discussion about these issues at a Legislative Subcommittee Stand Up and, consequently, an Executive Committee Stand up on March 17, 2020 (that recommendation was based on the complexities of the conversations, and how Stand Up meetings tend to be shorter and more task-oriented).

The decision not to bring these items to Stand Ups was serendipitous, in retrospect, because the March 17, 2020 County Board Meeting was postponed; and we reconvened on March 26, 2020 in a virtual meeting environment.

I respectfully provide this synopsis to bring us all to a discussion about the recommended Legislative Agenda in this packet, and the many reasons why we are still working to adopt said Legislative Agenda. We thank you for convening for this meeting and look forward to bringing the document to Executive Committee on May 12, 2020 and to County Board on May 19, 2020.

McLean County Legislative Program – 2019 2020



McLean County is committed to maintaining strong partnerships with state and federal legislators to effectuate communication on the needs of McLean County, as well as acknowledging the valuable services provided through state and federal government. In 2019, as in previous years, the McLean County Board appreciated the opportunity to share with our state legislators the challenges facing our County. It is essential that McLean County is able to govern to ensure a high quality of life for McLean County residents.

We are well aware of the state and federal governments' financial situations and have tried to be responsive and responsible as we prepared our 2020 legislative program. Continuing as in past years, the County legislative policy is to:

~~McLean County government strives to continue effective citizen services in an efficient manner. To accomplish this, McLean County is committed to maintaining strong partnerships with state and federal legislators. Through these partnerships and the County's policies, the residents of McLean County continue to receive valuable services in an efficient and cost-effective manner.~~

~~In 2018, as in previous years, the McLean County Board appreciates the opportunity to share with our state legislators the challenges facing our County. In these challenging times it is essential that McLean County is able to govern without the restrictions of various statutes and public acts slowing down the process to ensure a high quality of life for McLean County residents.~~

~~We are well aware of the state and federal governments' on-going financial situations and have tried to be responsive and responsible as we prepared our 2018 legislative program. As in the past, the County legislative policy is to:~~

- 1. Support legislation allowing counties to expand fee and non-property tax revenue sources.**
 - 2. Support legislation granting additional permissive authorities for counties.**
 - 3. Oppose unfunded mandates imposed by the state or federal government. (HB 4415)**
 - 4. Oppose legislation that would reduce the existing authority of county government.**
 - 5. Oppose proposals that erode or divert the existing County revenue base.**
- **Topic – Proposals to reduce state-collected local government revenues.** In prior legislative sessions, proposals to divert or reduce state-collected local government revenues for the purposes of meeting the obligations of the State have surfaced, many times at the end of a session. This includes important revenue sources such as the local government share of the state income tax (LGDF), the Corporate

McLean County Legislative Program – 2019 2020



Personal Property Replacement Taxes (CPPRT), and the local share of State Sales Tax and Motor Fuel Tax (MFT) proceeds. Additionally, legislative sweeping of dedicated funds to meet State obligations can further divert funding intended to compensate local governments for State mandates.

Recommendation – State-collected local government revenues are critical to ensuring that counties and municipalities can continue to provide the service levels that residents have come to expect. The State should not divert or delay revenues which are obligated to meet State-mandated services.

- **Topic- Local Government Distributive Fund** – Several bills have been introduced with changes to the LGDF distributions. (HB 4542, SB 3086, SB3392, SB3784, SB3785).

Recommendation – Support legislation to increase LGDF and provide greater revenue for counties. Oppose any decrease or erosion of county funds.

- **Topic – Proposals to include State shared revenues distributed to local units of government in the Grant Accountability and Transparency Act.** Recent debate and introduction of bills (HB4215, HB4225, SB2284) call to question the applicability of Grant Accountability and Transparency Act (GATA) to state shared revenues, e.g. Motor Fuel Tax, and Personal Property Replacement Tax (PPRT)

Recommendation – Support legislation to exempt State shared revenues distributed by formula to units of local government and provide language that requirements established under GATA do not apply to State shared revenues in specific funds.

- **Topic – The Criminal Traffic Assessment Act. (CTAA)** The CTAA provided for a new formula for assessment of criminal and traffic fees purported to be budget neutral to county government. The results of this change to county funding has yet to be fully analyzed, however, certain deficits to state funds, such as funding for the Illinois Law Enforcement Training and Standards Board (ILETSB), which provides much of the mandated training to local police academies, have been identified, and has already created a ripple effect, resulting in increased costs at the county level and a negative impact to current and future county budgets.

Recommendation – Support legislation to amend the Criminal and Traffic Assessment Act to provide a budget neutral or budget positive solution at the county level.

Tabled until review language

- **Topic- Juvenile Court Hearings** – ~~Currently, Illinois law is unclear with respect to the utilization of remote video participation by interested parties as a means to provide~~

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~~for hearings.~~ Past legislative sessions have introduced proposed changes to the Juvenile Court Act with respect to the utilization of remote video participation by interested parties as a means to provide for juvenile hearings. In addition, proposed changes to the time frame requirements for juvenile hearings (within 24 hours) would create additional expense to Counties without commensurate benefit.

- **Recommendation** – Support compromise legislation which provides for hearings in a time frame of 48 hours (rather than 40 hours -excluding weekends/holidays) and provides for remote video participation by interested parties in such hearings. SB3355 / HB5564
- **Topic – Transportation Infrastructure Construction Program.** The State of Illinois has not approved a capital investment program with sustainable, ongoing funding increases, since 1999, leading to a decline of the state’s transportation infrastructure and affecting the economic health and the safety of our citizens ~~The 2009 capital funding program known as “Illinois Jobs Now” expired July 1, 2015 and has resulted in a steep decline in transportation maintenance and repair projects.~~ Counties are in need of a reliable sustainable long-term revenue source to efficiently maintain our highway system and provide for planning of future transportation maintenance and repair projects.

~~**Recommendation 1-** Support consideration and approval of a new capital investment program that will allow state and local governments in Illinois to maintain and enhance our critical transportation networks. A dedicated pay-as-you-go funding source is necessary to guarantee steady and predictable revenue is available to assure the routine annual modernization, rebuilding, and maintenance required to relieve our growing infrastructure crisis, and support all transportation systems—local roads, state roads, interstate highways, bridges, public transit, airports, waterways, & freight rail efficiencies.~~

Recommendation 2 - While a Statewide solution to this issue would be most appropriate, as an alternative, all Counties should have the same local permissive authority to initiate a County Motor Fuel Tax currently provided to Kane, McHenry and DuPage under the County Motor Fuel Tax Act and to Cook County through home rule powers. The County Board supports McLean County being provided the permissive authority provided in the County Motor Fuel Tax Act 55 ILCS 5/5-1035.1.

- **Topic- Municipal Adjudication of minor traffic offenses** – Currently, Illinois law requires all motor vehicle uniform traffic citations to be processed through the circuit court. Recent legislation has proposed allowing for municipal adjudication of minor traffic offenses.
- **Recommendation** – Oppose legislation providing for municipal adjudication of minor traffic offenses. Such action would significantly bifurcate the prosecution of traffic



offenses, would further destabilize circuit court funding and would increase the complexity of reporting traffic offenses to insurers.

- **Topic- Court Probation Funding.** ~~State-mandated probation and detention services have historically been funded at less than 70% of costs. “Although an increase in salary reimbursement funding had been realized for SFY 2015, adequate funding for Probation and Detention services throughout the State of Illinois remains a critical issue. The continuation of the support for this positive trend in Probation and Detention funding is essential in order to maintain safer communities by insuring offender accountability in a cost-effective manner. A reduction in funding will only serve to diminish the capability of Court Services Departments to accomplish the mission of creating safer communities and insuring offender accountability.”~~

Funding levels for state-mandated probation and detention services have maintained a positive trend in the last two years, with 2019 reimbursement rates close to 100% for probation and detention officer salaries. Historically, funding levels for salaries have dropped as low as 60% which seriously hampers operations of probation at a community corrections level and results in higher incarceration costs. Adequate funding for probation, pretrial, and juvenile detention services throughout the State of Illinois remains a critical issue. The continuation of the support for this positive trend in Probation and Detention funding, is essential in order to maintain safer communities by insuring offender accountability in a cost-effective manner.

Recommendation-The legislature should fully fund probation services without diminishing other county revenues. SB 3801/ HB 5563

- **Topic – Financial Support for Electronic Filing Mandates**

Attorneys filing civil cases before the Illinois Supreme Court and Appellate Courts were required to do so electronically as of July 1, and the circuit courts across the state will follow on Jan. 1, 2018, pursuant to Illinois Supreme Court Order M.R. 18368 issued on Jan. 22, 2016.

The Administrative Office of Illinois Courts (AOIC) contracted with a vendor to ensure that the centralized electronic filing manager system, known as eFileIL, will work with all case management systems. The e-filing requirements applied to 87 out of Illinois' 102 counties; the other 15 had set up electronic filing already on their own and have been given the option to stick with their current version as long as the statewide system can communicate with it.

The court system did not want counties that already had set up systems to incur additional expenses so long as compatibility issues could be worked out. The State's intent was not to jettison what counties who were trying to be on the edge of technology already had done and require counties to have to come up with a new



system, he says. Those systems can be used as long as they communicate with the Tyler system.

Unfortunately, the AOIC contracts with Tyler have not provided an avenue to actually integrate electronic filing into case management systems, such as McLean's, which are internally created. The result has been the unintended consequence that Counties such as McLean County, who have invested significant funding for case management and criminal justice information development has incurred significant overtime requirements, has been required to add additional full-time employees and produce paper files in a duplicative process. **The duplication of work and lack of integration creates a greater margin for error, reduces public face time by staff, and frustrates the public, the opposite intention of the mandate.**

- **Recommendation-** The State should provide funding either through Administrative Office of Illinois Courts (AOIC) or Illinois Criminal Justice Information Authority (ICJIA) for development of solutions by Counties such as McLean that have made significant financial commitments in the development of case management/integrated justice information systems and are now being required to produce significant printed files and with a significant increase in staff time, because the lack of ability to integrate the E-filing processes. Additionally, future electronic mandates should address the need to recognize and integrate with legacy systems which Counties have made the financial commitment to implement, prior to Court or statutory mandates.
- **Topic- Behavioral/ Mental Health Funding.** The National Alliance on Mental Illness has given the State of Illinois a "D" on its report because of significant issues in community-based services for people living with a mental illness. Illinois' lack of essential mental health services has resulted in lawsuits and consent decrees which force it to invest in an adequate community mental health system. In an effort to save money through funding cuts, Illinois instead has cost itself millions every year in expensive and preventable hospitalizations, emergency room visits, institutionalizations, inappropriate incarcerations, extended incarcerations due to lack of state facilities and homelessness. The lack of an effective system with interventions, structure and solutions burdens families, community services and police. Both the human cost and the public costs are extraordinary.

Recommendation- Restore **and identify new** funding **sources** for critical mental health services.

- **Topic- Hazardous Waste** -The budget challenges of the Illinois Environmental Protection Agency (IEPA) have created the need for local governmental units to provide Household Hazardous Waste (HHW) collection at more than \$150,000 per collection event. Paint is almost 30% of Household Hazardous Waste (HHW) collected by Solid Waste Programs. McLean County and its municipal partners must



find a more sustainable way to fund its HHW collection. McLean County and other Illinois Counties are looking to the paint manufacturers to help solve the problem. This will help shift responsibility for recycling or other safe disposal of products and packaging to the producers. Under the proposed legislation, similar to efforts in Oregon, California and Connecticut, paint manufacturers will assume the costs of managing unwanted latex and oil-based paints.

Recommendation - Support legislation that will institute a statewide stewardship program for HHW and create a fund to ensure that the program is supported statewide. an upfront fee on new paint purchases to pay for the proper management of the paint. This program will make the industry enlist the manufacturers, rather than taxpayers, in responsible for developing and implementing a statewide paint recovery plan, including education.

- ~~Topic- Recorder's Office FOIA Requests~~ — Our recorder's office spends between half a day and a full day every month fulfilling FOIA requests from title companies, many of which are outside the State of Illinois. Those companies generate revenue performing title searches. Currently, the only costs we recover are the costs of the medium (hard disk) sent to the companies.

~~Recommendation~~ — Amend FOIA and Recorder of Deeds legislation to allow recoupment of costs associated with fulfilling FOIAs for title companies that use our data to generate income. Clarify that legislation regarding the recoupment of staff time costs associated with fulling commercial income generating FOIA requests should be supported.

- ~~Topic- Revenue Generated by New Excise Taxes~~ — State legislators are contemplating legalization of activities which may result in related increased costs for local governments who provide public health and criminal justice functions.

~~Recommendation~~ — In addition to general local government revenue sharing that should result from such new excise taxes, a provision should be made to provide a reasonable portion of that revenue to County governments that provide public health services, without diminishing the amount of funding provided from other sources to Counties by the State of Illinois.

- **Topic- Property Tax** – Schools are more and more dependent on the property tax paid by those living in their districts. State funding continues to decrease. Legislators should continually look at public school formulas and ensure more funding from the State to reduce burden on homeowners for public schools.

Recommendation – Review the school funding formula and reduce the burden of school funding on the property owner.



- **Topic- Fair Maps Initiative** – Without fair districts, voters have little recourse if they are unhappy with their representative

Recommendation 1– Support the Fair Maps Initiative so voters know that their district is drawn to give them a choice and hold elected officials accountable.

1. **Topic- Renewable Energy** – McLean County has demonstrated the value in investing in renewable energy, and its presence as a lucrative tax generator and job sector. Local companies’ ability to generate consistent energy streams played a critical role in Rivian relocating their battery production from California to Normal, which is expanding their investment in the facility and will result in larger job growth than originally anticipated. We are primed to act as a renewable energy hub for central and downstate Illinois, as proposed in the CEJA to have such hubs for workforce training and expansion. I would also like to ensure that such incentives or savings are available to municipalities as well as residential and commercial customers.

Recommendation – Support either the Clean Energy Jobs Act or Path to 100 Act, as both ensure continued incentives to expand our State’s Renewable Portfolio Standard.

- **Topic- Response to Trauma and Abuse** – As a preventative effort, we need to address issues with DCFS in investigating and protecting children, keeping in mind the work is difficult, the pay is low, and the department is consistently understaffed.

Recommendation – Identify and increase funding for child protection services in order to meet the needs of our children, those most vulnerable, as a preventative measure.

- **Topic- Mahomet Aquifer Protection** – On March 11, 2015 the Environmental Protection Agency (EPA) designated a portion of the Mahomet Aquifer system in east-central Illinois as a sole source aquifer. More than half of the population in east-central Illinois relies on the Mahomet Aquifer system as a source of drinking water. The Mahomet Aquifer supports approximately 850,000 central Illinois residents with safe drinking water; the ongoing protection and sustainable use of this invaluable water supply is critical to both the public health of our region and the economic vitality of McLean County.

Recommendation – Support SB2073 Groundwater protection (Sponsor-Chapin Rose) that would create the Mahomet Aquifer Council and SB2027 EPA-Mahomet Aquifer (Sponsor- Scott Bennett) that provides that the Illinois Environmental Protection Agency shall identify unlined, thinly covered legacy landfills for inspection



and study the landfills after prioritizing them based on potential hazards to surface water and groundwater resources.

Topic- Medicaid Reimbursement Rates –The County continuously expends resources to mitigate shortfalls created when providing long term care services to Medicaid recipients, because of low Medicaid reimbursement rates. County nursing homes, who provide for all citizens, regardless of funding stream, are burdened with sustaining a service to a vulnerable population without necessary support from Medicaid, which has resulted in the closure of many county facilities

Recommendation – Support legislation that designates higher Medicaid reimbursement rates for vulnerable populations, such as County supported long term care facilities.