

Minutes of the Legislative Committee Meeting

The Legislative Committee of the McLean County Board met on Wednesday, May 5, 1999, at 5:00 p.m. in Room 703 of the McLean County Law and Justice Center, 104 West Front Street, Bloomington, Illinois 61701.

Members Present: Chairman Sorensen, Members Berglund, Salch, Hoselton

Members Absent: Member Kinzinger

Staff Present: John M. Zeunik, County Administrator;
Barbara J. Churchill, Senior Secretary

Chairman Sorensen called the meeting to order at 5:09 p.m. Chairman Sorensen presented the minutes of the April 7, 1999 meeting.

Motion by Hoselton/Berglund to approve the minutes of the April 7, 1999 meeting as presented. Motion carried.

Chairman Sorensen presented House Bill 1464 and noted that this Bill is the new version of the Local Gift Ban Act. He stated that, this legislation will go a long way in simplifying the Act for smaller entities of government that would have fallen under the original State Gift Ban Act. Ms. Berglund asked when this new legislation will take effect. Chairman Sorensen noted that the State Gift Ban Act must be implemented by July 1st. He added that this is new legislation which amends the State Gift Ban Act.

Ms. Berglund stated that she felt the text should be more readable and easier to understand. Chairman Sorensen noted that he had distributed a summary written by a law firm in Springfield several months ago which was very easy to understand and he suggested distributing this summary to the Committee Members again.

He added that the Rules Committee has met since it will be their responsibility to figure out how the County implements or complies with the ethics law. The State's Attorney's Office has advised that we should do nothing at this time. The law requires that McLean County create an Ethics Commission, appoint an Ethics Officer and pass an Ethics Ordinance. Because this new language is making its way through the House and there is talk that there may be other amendments, the State's Attorney's Office has suggested that we do nothing. Chairman Sorensen added that McLean County will comply with the present State Gift Ban Act or the proposed Local Gift Ban Act. If the Legislative Committee chooses, the Committee may wish to express support for this pending legislation.

Mr. Hoselton noted that there had to be some reason for this new legislation being introduced so soon after the State Gift Ban Act was enacted into law. Chairman Sorensen stated that he sees this legislation as being a great benefit to school boards, small municipalities, library boards, and drainage districts. Under the proposed legislation, these units of local government can elect to have the County's Ethics Commission and Ethics Officer assume

jurisdiction and responsibility for monitoring complaints filed concerning the ethical actions of smaller units of government. He added that legislators may be responding to constituents representing smaller units of government.

Chairman Sorensen asked Mr. Zeunik for a report on what Lobbyist Bill Anderson feels will happen with this Bill. Mr. Zeunik responded that, according to Mr. Anderson, this legislation is very likely to pass because, at this time, there is no opposition. He added that the local units from government are very supportive because the legislation lifts the uncertainty as well as the burden that exists in the current law. Mr. Salch asked if the Ethics Officer will be a full-time employee of the County. Chairman Sorensen stated that the law does not establish any requirement that the Ethics Officer must be an employee -- it could be an appointed citizen. The Rules Committee is currently leaning towards naming the County Board Chairman as the Ethics Officer. Mr. Salch asked if it made sense for the Ethics Officer to be an attorney. Chairman Sorensen stated that the State's Attorney's concern is that it would be awkward for the Office to serve in the capacity of an Ethics Officer in cases that could, depending on the issue, result in a criminal case. If the State's Attorney was acting as an Ethics Officers, this could compromise their position as an independent prosecutor.

Chairman Sorensen stated that the responsibilities of the Ethics Officer are very diverse and, according to the law, the Ethics Officer would now be responsible for reviewing and approving the Statements of Economic Interest filed with the County Clerk. As the Rules Committee discussed, the County Board Chairman could delegate this responsibility to the County Clerk's Office with the understanding that, if anything were out of the ordinary, the Chairman would have to review the Statement of Economic Interest. If the County wants to send a clear message that ethics issues will be taken seriously, it is important to appoint someone who would send that message. Mr. Hoselton noted that there are approximately 186 units of local government in the County, so there would be a lot of work involved in educating everyone concerning the responsibilities of the Ethics Commission.

Chairman Sorensen presented Senate Bill 427 - Assessing Tipping Fees at the Transfer Station and noted that this has been an issue in McLean County's Legislative Program for several years. The State mandated recycling programs for each County and the State provided Counties with funding for that in the form of tipping fees at local landfills.

When Sexton's closed their gates, those tipping fees stopped coming in and it took McLean County about a year and a half to feel the impact.

This legislation seeks to create a transfer station tipping fee. Chairman Sorensen stated that he has not heard anything positive in terms of whether or not this legislation will pass. It did not go anywhere last session. Mr. Hoselton noted that Pontiac's dump is

the second largest in the United States and handles a minimum of 332 trucks per day.

Chairman Sorensen noted that this unfunded mandate is a concern to McLean County. Mr. Hoselton commented that the County does not have the land available and added that the Pontiac dumping site took good farmland away from the community.

Chairman Sorensen presented House Bill 1935 - Establishment of a Criminal Justice Information Network to develop and implement an Integrated Criminal Justice System Information System/Network. Mr. Zeunik noted that this will be a statewide system which would allow the Circuit Clerks to assess and collect a fee which will be deposited into a separate fund to be used for this purpose. The fees will allow counties to upgrade their own existing infrastructure and also allow them to link to the State Police Network. He added that the Bill has a good chance of passing because of the support from the State Police and because it is not assessing a fee at the back-end and, as a result, municipalities end up losing fee revenue. He stated that he has not heard that the Municipal League is opposed to this.

Mr. Hoselton asked if McLean County receives the publication from the Illinois Municipal League. Mr. Zeunik said no. Mr. Hoselton suggested that the County subscribe to this publication.

Chairman Sorensen presented Senate Bill 760 which authorizes "P" tickets for municipalities, which is supported by the Illinois Municipal League and the Cook County Circuit Clerk. The County's lobbyist feels that the Bill is not likely to advance. The County is opposed to the legislation as it is presently written. Although he is not opposed to this Bill, Mr. Hoselton commented that it is very expensive for small towns to schedule police officers on overtime to appear in court. He added that, in Chenoa's case, allowing "P" tickets would fund nine police officers, four squads and a drug dog.

Mr. Zeunik noted that he had talked to Ms. Sandra Parker, Circuit Clerk, about this legislation. From the perspective of the Court, the key provision which is lacking is reporting the violations to the Secretary of State's Office.

Chairman Sorensen presented the Transportation Infrastructure Public Works Plan which was prepared by the Governor's Task Force. He asked Mr. Zeunik what was the status of this Plan. Mr. Zeunik stated that the Towanda-Barnes Road Project is included in the Governor's Plan.

The proposed funding would cover the costs of improving the road to four lanes from Fort Jesse Road south to Route 150.

Chairman Sorensen noted that the preliminary information from the federal government was that the Towanda-Barnes Project would be funded with federal money. When the bill finally made it through the Senate, there were cuts made in project funding to provide more dollars for mass transit projects. As a result, the Towanda-Barnes project lost

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25% of the federal funding. Mr. Mitchell was expecting the entire project to be paid for with federal Transportation-21 ("T-21") money. Mr. Mitchell has sought the support of Senator Maitland and Representatives Rutherford and Brady for appropriating State funding for this important transportation project.

There being no further business to come before the Committee, Chairman Sorensen adjourned the meeting at 5:32 p.m.

Respectfully submitted,

Barbara J. Churchill
Recording Secretary