# DU PAGE COUNTY
## LEGISLATIVE & GOVERNMENTAL AFFAIRS COMMITTEE
### FINAL AGENDA

<table>
<thead>
<tr>
<th>May 8, 2018</th>
<th>Regular Meeting</th>
<th>9:15 AM</th>
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**ROOM 3500A**

**421 NORTH COUNTY FARM ROAD**

**WHEATON, IL  60187**

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **APPROVAL OF MINUTES**
   
   A. Legislative & Governmental Affairs Committee - Regular Meeting - Tuesday April 24th, 2018

4. **PUBLIC COMMENT**

5. **CHAIRMAN'S REMARKS**

6. **ACTION ITEMS**
   
   A. Action Item -- Legislative Update May 8th, 2018 (attached to Agenda Packet)

7. **OLD BUSINESS**

8. **NEW BUSINESS**

9. **ADJOURNMENT**
1. **CALL TO ORDER**

9:15 AM meeting was called to order by Chair Sam Tornatore at 9:35 AM.

2. **ROLL CALL**

**PRESENT:** DiCianni, Elliott (9:40 AM), Khouri, Krajewski (9:38 AM), Tornatore, Zay

**ABSENT:** Member Elliott requested the record reflect he was late due to his attendance at the Technology Committee. Member Krajewski was late because of the Technology Committee.

Other County Board Members present: Elizabeth Chaplin, Greg Hart

County Staff present: Mary Keating, Sheryl Markay, Conor McCarthy, Doreen Phillipp, Chad Shaffer, Evan Shields, Chris Snyder, Christopher Walton

Public present: Dino Gavanes

3. **APPROVAL OF MINUTES**

A. Legislative & Governmental Affairs Committee - Regular Meeting - Feb 27, 2018 9:15 AM

<table>
<thead>
<tr>
<th>RESULT:</th>
<th>ACCEPTED [UNANIMOUS]</th>
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</thead>
<tbody>
<tr>
<td>MOVER:</td>
<td>Peter DiCianni, District 2</td>
</tr>
<tr>
<td>SECONDER:</td>
<td>James Zay, District 6</td>
</tr>
<tr>
<td>AYES:</td>
<td>DiCianni, Elliott, Khouri, Krajewski, Tornatore, Zay</td>
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4. **PUBLIC COMMENT**

There was no public comment.

5. **CHAIRMAN'S REMARKS**
Chairman Tornatore thanked staff and the ten County Board Members who drove to Springfield on April 11, 2018. The Board Member’s presence in Springfield was acknowledged through various meetings with Legislators, and the Governor. SB 1451, the Small Cell Wireless Act was recently signed into law by the Governor. This law negatively impacts DuPage County and Chairman Tornatore is participating in negotiations to amend the language to benefit municipalities and the County.

6. **ACTION ITEM**

   A. Action Item -- April 24, 2018 Bill List (attached to Agenda Packet)

      The record should reflect that Committee Member Jim Zay left the meeting at 9:48 AM.

      The April 24, 2018 Bill List, attached to the Committee packet, was briefly discussed. Ms. Markay asked the Committee for their recommendations of support or opposition regarding three specific bills; HB 1187, SB 2313, and SB 2483. The Committee Members discussed SB 2483, Hotel/Motel Tax bill which permits non-home rule municipalities, that are members of the DuPage Convention & Visitors Bureau to appropriate certain percentages of their tax dollars collected from the Municipal Hotel Operators’ Occupation Tax to promote tourism within that municipality. A Percentage of the collected taxes may also be used for economic development or capital infrastructure. Committee Member DiCianni stated this bill benefits the DuPage municipalities. Committee Member Krajewski commented on the importance of hotel infrastructure. Member Chaplin shared some ideas other areas of the state are doing regarding hotels and tourism. There was also a brief conversation of HB 1187 and SB 2313. After discussion the Committee approved the recommended positions outlined in the Bill List.

      **RESULT:** APPROVED [UNANIMOUS]

      **MOVER:** Sam Tornatore, Chair

      **SECONDER:** Tonia Khouri, Vice Chair

      **AYES:** DiCianni, Elliott, Khouri, Krajewski, Tornatore

      **ABSENT:** Zay

7. **OLD BUSINESS**

   Public safety legislation was next considered. Committee Member Elliott requested the Committee oppose HB 4208. Committee Member DiCianni concurred. This bill addresses the issue of certain school districts reallocating resources from School Resource Officers on campus to other school support staff. Committee Member Elliott stated this bill is offensive to law enforcement and School Resource Officers. Additionally, Member Elliott would like the Committee to show support for the successful School Resource Officer programs throughout the County. Member Elliott expressed the importance of school safety and keeping the School Resource Officers in the school. Chairman Tornatore concurred. The Committee agreed to oppose this legislation. Committee Member Elliott inquired as to the status of SB 1657, Gun Dealer Licensure. The Governor vetoed the bill and awaits an override motion.
8. NEW BUSINESS
There was no new business.

9. ADJOURNMENT
Without objection the meeting was adjourned at 10:02 AM.
DuPage County Board Chairman
Daniel J. Cronin
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(Phone) 630-407-6060 (Fax) 630-407-6001
www.dupageco.org

DuPage County Legislative Committee
Sam Tornatore, Chair       Tim Elliott
Tonia Khouri, Vice-Chair  Brian Krajewski
Peter “Pete” DiCianni    James F. Zay

Legislative Update - May 8, 2018
This document highlights bills of interest to DuPage County Government that are moving through the legislative process. To view the actual text of bills, please consult the General Assembly website at www.ilga.gov or contact the County Board Office for additional information.

Support:

HB 4191, Immunity/Dogs & Cats Locked in Vehicles (Olsen, R-Downers Grove/Connelly, R-Lisle): The bill amends the Humane Care for Animals Act to provide that a person is immune from civil liability for property damage to a locked vehicle when the damage results from the forcible entry of the vehicle to remove a dog or cat (in imminent danger of suffering harm) under specified conditions (listed in the bill). Further provides that a person shall not be immune from civil liability for any damage or deprivation of property resulting from forcible entry if the person's actions constitute recklessness or willful or wanton misconduct. Provides that a person removing a dog or cat from a locked vehicle must remain with the animal in a safe location until law enforcement, emergency responders or an animal control officer arrives.

Status: The bill was adopted by the House by a vote of 78-27-1 and is before the Senate Criminal Law Committee.

HB 4822, Electronic Notification (Halbrook, R-Shelbyville/Rose, R-Champaign): Permits units of local government and county officers (not school districts) to establish a process to allow people to select electronic notifications through an electronic notification delivery system to receive governmental mailings that are currently sent by U.S. mail. Establishes the process and provides that a unit of local government may enter into an intergovernmental agreement with another entity to provide the electronic notifications and to share data for that purpose.

Status: The bill was adopted by the House by a vote of 108-0 and is on the order of second reading in the Senate.

HB 4907, Prescription Monitoring Program Access (McAuliffe, R-Chicago/Syverson, R-Rockford): Amends the Illinois Controlled Substances Act to provide that the Department of Human Services, in consultation with the Advisory Committee, shall adopt rules allowing licensed prescribers or pharmacists who have registered to access the Prescription Monitoring Program, to authorize a licensed or non-licensed designee employed in that licensed prescriber's office or a licensed designee in a licensed pharmacist's pharmacy, and who has received training in the federal Health Insurance Portability and Accountability Act (rather than a designee), to consult the Prescription Monitoring Program on their behalf. Prescription Monitoring programs are an important tool to deter the misuse, abuse, and diversion of controlled substances.
(Support Continued):

**Status:** The bill was adopted by the House by a vote of 102-0 and is before the Senate Public Health Committee.

**HB 5123 - Election Commission Consolidation** (Conroy, D-Elmhurst/Cullerton, T., D-Villa Park): A DuPage County initiative, the legislation authorizes (permissive) a county board that has established a county board of election commissioners (impacts only two counties, DuPage & Peoria), to dissolve the county board of election commissioners through the adoption of an ordinance or resolution to transfer its functions to the county clerk. In March, DuPage voters approved an advisory question to merge the two offices, that is expected to save taxpayers over $300,000 annually.

**Status:** The bill was adopted by the House by a vote of 112-0 and is on the order of second reading in the Senate.

**SB 2332, Prohibit Tobacco Sales Under Age 21** (Link, D-Waukegan/Lilly, D-Oak Park): Raises the age for whom tobacco products, electronic cigarettes, and alternative nicotine products may be sold from at least 18 years of age to at least 21 years of age. Makes it a Class A misdemeanor for a person who is under 21 years of age (formerly 18) in the furtherance or facilitation of obtaining any tobacco product to display or use a false or forged identification card or to transfer, alter, or deface an identification card. Makes other technical changes. According to the DuPage County Health Department, people who haven’t used tobacco by age 21 are unlikely to start and research indicates increasing the minimum age could reduce premature deaths and preterm births.

**Status:** The bill was adopted by the Senate by a vote of 35-20 and is before the House Rules Committee.

**SB 2483, Hotel/Motel Tax Pilot** (Cullerton, T., D-Villa Park/Olsen, R-Downers Grove): As amended by Senate Amendment #1, the bill permits non-home rule municipalities, that are members of the DuPage Convention & Visitors Bureau, to spend 75% of the amounts collected by the Municipal Hotel Operators’ Occupation Tax and a Municipal Hotel Use tax, to promote tourism within that municipality. Permits the remaining 25% to be used for economic development or capital infrastructure. The Act repeals as of December 31, 2019.

**Status:** The bill was adopted by the Senate by a vote of 53-1 and is before the House Tourism, Hospitality & Craft Industries Committee.

**SB 2524, Disposal of Pharmaceutical Products** (Rose, R-Champaign/Breen, R-Lombard): As amended, the legislation creates the Pharmaceutical Disposal Task Force to coordinate a statewide public information campaign to highlight the benefits of and opportunities to properly dispose of pharmaceutical products. Provides that the campaign shall be implemented by the Environmental Protection Agency, in coordination with the Department of Public Health and the Illinois State Board of Education. Provides that the publicity of the campaign shall include, as appropriate, opportunities to properly dispose of pharmaceutical products provided by specified entities and events. In DuPage County alone, our Rx box drug disposal program has collected over 44.4 tons of medication.

**Status:** The bill was adopted by the Senate by a vote of 53-0 and is assigned to the House Human Services Committee.

**SB 2543, Mosquito Abatement District Consolidation** (Cullerton, T., D-Villa Park/Olsen, R-Downers Grove): A DuPage County initiative, the bill adds mosquito abatement districts to Public Act 98-1002, that permits the
(Support Continued):

consolidation of a mosquito district with a neighboring municipality, county or township (as amended) per a majority vote of both governing boards. Provides that on the effective date of the annexation or consolidation, all the rights, powers, duties, assets, liabilities, indebtedness, obligations, bonding authority, taxing authority, and responsibilities of the district vests in and is assumed by the governmental unit assuming the former district’s functions. Provides for the rights of the employees of the former district once the former district is consolidated into the other governmental unit.

**Status:** The bill was adopted by the Senate by a vote of 55-0 and is before the House Cities & Villages Committee.

**SB 2544, Local Government Reduction & Efficiency Act** (Cullerton, T., D-Villa Park/Yingling, D-Round Lake Beach): A DuPage County initiative, the bill makes a number of changes to the Act to streamline the dissolution of specified county appointed agencies. Last year, all counties received the authority granted under the Act (initially granted to DuPage County only in 2013) to dissolve a defined list of county appointed governmental agencies but only after an extensive public review process.

**Status:** The bill was adopted by the Senate by a vote of 49-0 and is before the House Government Consolidation & Modernization Committee.

**SB 2581, Juvenile Court Detention Screenings** (Mulroe, D-Chicago/Gabel, D-Evanston): Provides that on and after July 1, 2020, a detention screening instrument shall be used for referrals to all authorized juvenile detention facilities in this state prior to a judicial hearing. Provides a minor alleged to be a delinquent minor taken into temporary custody must be brought before a judicial officer within 48 hours, currently the federal requirement (rather than 40 hours, excluding Saturdays, Sundays and court designated holidays).

Provides that if an appearance is required of any minor taken and held in a place of custody or confinement operated by the state or any of its political subdivisions, including counties and municipalities, **the chief judge of the circuit may permit by rule for the minor's personal appearance to be made by means of two-way audio-visual communication, including closed circuit television and computerized video conference, in the following proceedings:** the initial appearance before a judge; a detention or shelter care hearing; or any status hearing. Provides that the Division of Probation Services of the Supreme Court shall adopt a statewide juvenile detention screening instrument that has been verified through evidence-based and data-based practices that is to be used by all authorized juvenile detention facilities. Video conferencing ensures juvenile offenders are processed more quickly and saves taxpayers over $125,000 annually in overtime and transport costs from the Kane County Regional Detention Facility where DuPage juveniles are held.

**Status:** The bill was adopted by the Senate by a vote of 49-0 and is before the House Human Services Committee.

**Oppose:**

**HB 4208, School Safety** (Welch, D-Westchester/Lightford, D-Westchester): The legislation creates the Safe Schools and Healthy Learning Environments Program to establish a competitive grant program administered by the State Board of Education (subject to appropriation), to reduce reliance on law enforcement to address school disciplinary matters. Under the program, selected schools that are required to submit school discipline
(Oppose Continued):

improvement plans may apply for funding to support restorative justice programs that may include the increased use of social workers and behavioral health specialists. Funds shall not be used to increase the use of school-based law enforcement or security personnel. DuPage County supports the utilization of school psychologists and other mental health professionals in schools in addition to school resource officers, who work to enhance the safety and security of our children, building relationships with students and serving as a resource to students, teachers, and administrators to help resolve problems before they escalate to violence.

Status: The bill was adopted by the House by a vote of 64-25 and is before the Senate Education Committee.

SB 2313, Animal Control Funds (Holmes, D-Aurora/Stuart, D-Collinsville): As amended by Senate Amendment #2, the bill transfers the oversight of the state Animal Population Control Program from the Illinois Department of Public Health to the University of Illinois’ College of Veterinary Medicine and limits participation in the program to only University of Illinois College of Veterinary Medicine veterinarians or a supervised U of I veterinary student. The bill would drastically limit which veterinarians can participate in and receive reimbursement under the program and reduce the locations available to our residents to have spay/neuter surgeries performed on their pets, thus reducing participation.

Status: The bill was adopted by the Senate by a vote of 53-0 and is before the House Counties & Townships Committee.

Budget Issues

- LGDF: Monies distributed by the state to units of local government under the Local Government Distributive Fund (LGDF), represent a very small portion of the income taxes paid by our citizens that are returned to our communities to support critical local services. DuPage County currently receives an estimated $9.8 million annually in LGDF funds, an amount that was reduced by the state 10% last year to balance the state’s budget, close to a $1 million hit to the county budget.

Counties and municipalities have suffered the same economic hardships as the state yet have made the tough choices to cut spending, reduce staffing levels, and achieve operational efficiencies to balance our budgets. DuPage County opposes any attempts by the state to divert our fair share of income tax proceeds again this year.

- Reduction of sales tax surcharge: As part of the state’s effort to balance its FY 2018 budget, the Illinois Department of Revenue imposed last year a new 2% administrative fee on the collection of 14 locally imposed sales taxes prior to the distribution to local governments. For DuPage County, this fee resulted in a $1 million annual revenue loss. It has been widely reported that revenues collected from the 2% fee have generated the state over $10 million more than projected. For state FY 2019, DuPage County urges legislators to either eliminate or reduce this fee to 1% and return needed revenues back to our communities.
Committee Consideration of Other Issues:

HB 4594, Assessment of Court Fees (Andersson, R-Geneva/Mulroe, D-Chicago): Establishes the Criminal and Traffic Assessment Act to create uniform schedules (and application) of assessments for any violation of law or local ordinances as supported by the Statutory Court Fee Task Force (and the Illinois Supreme Court). The Task Force met for over three years to address the many different fees and schedules currently assessed throughout the state for criminal and traffic violations, concluding that all court fees in the state should be consolidated into a single Act with specific capped rates (some rates will be lowered). Sunsets the Act in two years.

Status: The bill was adopted by the House by a vote of 89-17 and is before the Senate Judiciary Committee.

Recommendation: Monitor

HB 5749, Overweight Trucks (Finnie, D-Harrisburg/Fowler, R-Harrisburg): Provides that the Illinois Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, may issue a special permit authorizing an applicant to move heavier loads of agricultural commodities if the vehicle’s axle weight and gross weight do not exceed 10% above the maximum limits allowed and the vehicle’s gross weight does not exceed the vehicle’s registered gross weight by 10%. Makes other changes and provides that a combination of permits shall not exceed a total fee of $1,000. The bill sets a precedent for other commodities to follow to permit heavier trucks on local roads.

Status: The bill was adopted by the House by a vote of 92-2-2 and is before the Senate Committee on Assignments.

Recommendation: Oppose

SB 2610, Establishment of Business Enterprise Program (BEP) (Clayborne, D-East St. Louis/Davis, D-East Hazel Crest): As adopted by the Senate, the legislation requires any municipality, county or road district that receives more than $1 million annually in Motor Fuel Tax Funds (MFT), an estimated 67 entities, to implement a business enterprise program setting goals for the inclusion of minority, veteran, and female owned businesses in the procurement of contracts. These programs are to cover both professional services and construction procurement and align with the state’s BEP for the region. If the county, municipality or road district fails to implement such a program by July 1, 2018, the entity will lose its MFT allotment. Requires the Illinois Department of Transportation (IDOT) to post on its website all relevant data for establishing regional goals including certain studies and data. According to IDOT, the department does not administer the state’s Business Enterprise Program, the Illinois Department of Central Management Services (CMS) has this responsibility, therefore, IDOT cannot comply with this website/posting requirement until CMS provides the required information which could take months. As a result, counties and municipalities will be delayed in the implementation of a program yet will face the loss of MFT funds as of July 1, 2018.

Status: The bill was adopted by the Senate by a vote of 54-0 and is before the House Rules Committee.

Recommendation: Seek an amendment to allow sufficient time to implement a BEP program, remove professional services and the MFT penalty.