



# Legislative Report

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**T**HE SPRING 2011 SESSION of the 97th Illinois General Assembly saw townships, and indeed most local government groups, on the defensive for much of the duration. TOI managed to get a few bills passed, but some were sidetracked along the way. A great deal of our time and effort this year was dedicated to killing very malicious bills, many of which popped up in the Illinois Senate.

## The Anti-Township Bills

There were several legislative proposals this year that emerged in the Senate that would have been devastating to township governments.

Early introductions included **Senate Bill 1811 (Sen. Michael Noland, D-Elgin)** that would have eliminated any township road district with less than 100 miles of highway throughout the state. That would have eliminated all but eight township road districts in Illinois. **Senate Local Government Committee Chairman David Koehler (D-Peoria)** redirected the bill from a hearing in his committee back to the Rules/Assignments Committee. Sen. Noland came back with a modified version in **Senate Bill 958**, which would have set the threshold for abolition at 32 miles in counties with more than 500,000 in population. It died in committee for lack of a “do pass” motion.

Then came **Senate Bill 173 (Sen. Terry Link, D-Waukegan)** which posed a threat to townships in the form of an outside commission that could lead to elimination or consolidation of local governments throughout the state. The commission would consist of 8 members (2 appointed by each legislative leader) that could not come from local government. They would meet over a period of 6-8 months and recommend consolidation or elimination of any or all types of local government. The General Assembly would have 60 days to vote “No” on the recommendations or they become law. TOI argued that the bill, among many of its flaws, usurped the right of voters and the constitution by removing the decision about townships from being made at the polls via referendum. This bill narrowly passed out of the Senate Executive Committee after Sen. Koehler refused to call it in the Local Government Committee, but was soundly defeated on the Senate floor by a vote of 14-30.

Later in the session, an amendment was filed to **Senate Bill 171** by **Senate President John Cullerton** that would have allowed township boards statewide to place a question on the ballot for voters to abolish township road districts or assessor offices and have the county take over their respective duties. TOI was opposed to this legislation, as well. It was never called.

At about the same time, an amendment was filed in the House to **Senate Bill 1907** by **House Speaker Michael J. Madigan** that was recommended to him by a township supervisor in his district that would also empower township boards to place a question on the ballot relating to eliminating township road districts and having its duties revert back to the township. It was in response to some negative publicity emanating from a Channel 7 TV series on townships. The bill’s provisions were limited to Cook County. It was seen at this point that this was the least damaging proposal of any that were put forth thus far. It kept duties and responsibilities in the hands of townships, it was permissive, and it left ultimate decision-making up to the voters, as we had argued for all along. Passage of this bill could very well keep all of the other more malicious measures on the sidelines. Ultimately, the bill passed by strong margins.

One other piece of legislation dealing with local government structure also passed the General Assembly this spring (TOI was neutral on this one). **House Bill 268 (Rep. Jack Franks, D-Woodstock; Sen. Kwame Raoul, D-Chicago)** creates a task force to study and make recommendations to the General Assembly for the future structure of local governments. It is strictly advisory in nature. It was signed by the Governor on Aug. 12 and became **Public Act 97-0316**.

## Lowering Publication Costs

Every year, TOI hears complaints from members about the high cost of publishing notices in the local newspaper as required by law. Many of the reports are long and tedious and seldom read by local taxpayers. And those same reports were readily available on the internet. Nearly every other type of local government unit had the same complaints. So this year, a coalition of local government groups got behind one single initiative, enlisted a powerful House Leader, **Rep. Frank Mautino (D-Spring Valley)** to lead the charge, and met

head on with the press association, who in years earlier simply dismissed such complaints and opposed any relief legislation.

This year would be different. After months of negotiations between local government groups and the Illinois Press Association, legislation emerged that finally provided relief to taxpayers. **Senate Bill 1686 (Mautino – Koehler)** provides a number of cost-saving measures across the board for local governments and their taxpayers. Of direct note for townships, the bill will mandate that newspapers can only charge the rates they charge their best customers on the commercial side for public notices. And it eliminates the requirement that the entire annual statement of financial accounts be published if an audit of the unit of government was performed and the audit report can be found elsewhere. The bill was signed into law this summer and became Public Act 97-0146.

### Township Roads

**House Bill 3152 (Rep. Randy Ramey, R-Carol Stream – Sen. William Haine, D-Alton)** allows a township road commissioner or a township board to dispose of surplus property without having to wait for approval at the annual town meeting. The bill passed both chambers, was signed by the Governor and became PA 97-0337 on August 12.

**Senate Bill 1951 (Sen. Christine Radogno, R-Lemont)** would have required direct distribution of MFT money from IDOT to townships if the township employed both a professional engineer and a certified public accountant. Negotiations on this measure between TOI road commissioners and the county engineers led to an administrative remedy so that the bill became unnecessary and solved the existing problem for townships.

**Senate Bill 41 (Sen. Susan Garrett, D-Lake Forest – Rep. Karen May, D-Highland Park)** authorizes a highway commissioner to dispose of brush and leaves without referendum approval. It passed both houses.

**House Bill 242 (Rep. David Leitch, R-Peoria – Sen. Koehler)** allows a township board to file suit in regard to a nuisance if a county board does not respond to a complaint in a specific time frame. It passed both houses.

**House Bill 3189 (Rep. Thaddeus Jones, D-Dolton)** also prohibits residential property (now only commercial property owners) in the prohibition against plowing snow onto public highways. Held in the House, but TOI will try to amend it and pass it in the fall veto session.

**House Bill 3113 (Rep. Jil Tracy, R-Mt. Sterling)** would have imposed graduated fines for violations of weight

limits on roads posted less than 80,000 pounds. This bill was held for future negotiations with IDOT and other stakeholders.

### General Assistance

There was some question as to whether a hearing for an appeal of denial of general assistance at the township level was exempt from the Illinois Freedom of Information and Open Meetings Acts, even though all of the information that would be exchanged or discussed clearly is. **House Bill 2259 (Rep. Ramey – Sen. Maggie Crotty, D-Oak Forest)** clarifies that it is. The bill passed both chambers, and was signed by the Governor August 19 and became Public Act 97-0452.

### Animal Licensing

Although TOI was poised to have legislation introduced this spring that would have authorized townships to regulate and license animals, we ran into several road blocks along the bureaucratic path that led us to pull back and return to the drawing board. We do expect to come up with a comprehensive proposal to be introduced in the spring of 2012.

### Elections

**Senate Bill 1586 (Sen. Don Harmon, D-Oak Park – Rep. Michael Zalewski, D-Chicago)** changes the date of the caucus for nominations by a political party for township offices from the second Tuesday in January to the first Tuesday in December; changes the date of the caucus for nomination of township assessor in multi-township districts from the second Wednesday in January to the first Wednesday in December. This bill was an “omnibus” elections bill. It contained many election related changes that was supported by all four caucuses in the General Assembly. It was signed by the Governor and became Public Act 97-0081.



**WANTED**

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