



Legislative Report

END OF SESSION 2009
96th General Assembly

THE ILLINOIS GENERAL ASSEMBLY wrapped up its normal business by recessing both the House and Senate shortly after 1 A.M. on June 1. Rather than adjourning *sine die*, the legislature recessed since they had not taken final action on a complete state budget for fiscal year 2010. They intend to return to Springfield if and when they reach agreement on a spending plan. In the interim, lawmakers approved a six-month budget which Governor Pat Quinn claims will require drastic cuts in state services beginning July 1.

Notwithstanding the stalemate on the budget, the legislature did deal with hundreds of issues, with mixed results for townships, in particular, and local government, in general. Much of our legislative package was approved and sent to the Governor; other parts were stalled and will have to be addressed again in the fall or next spring. TOI was successful in beating back dozens of proposals which would have been detrimental to township government, including expansion of prevailing wage laws.

Now awaiting approval by the Governor is a long awaited capital plan (House Bill 255) that will pump more than \$25 billion into Illinois building projects over the next five years. However, the final legislation, much to the chagrin of all local governments, affords \$100 million a year to be split among counties, townships and municipalities for roads and bridges, and increases weight limits on local roads to 80,000 pounds. Local governments can continue to post exceptions to that allowance, and fines for weight limit violations are doubled.

There was strong momentum when the session got underway to make drastic changes to the state's Freedom of Information laws. As first proposed by the Attorney General, the legislation would have imposed tremendous burdens on local governments, including criminal penalties for non-compliance with the Act! In the end, the bills were modified, but will still require additional effort to conform to the new law, including designation of an employee, officer or member as FOI officer and mandatory computer training. There are no criminal penalties included, however.

Here is the rundown of TOI's 2009 legislative agenda with the outcome of the proposals:

- **House Bill 564** (*Rep. Osmond; Sen. Althoff*) remedies a situation where a city and a township are coterminous and a city council is exercising powers that would ordinarily be exercised by the township board and allows the council by a $\frac{3}{4}$ vote to authorize the township supervisor to preside over portions of the city council meetings when addressing township issues. *Passed both houses; awaiting action of the Governor.*
- **House Bill 621** (*Rep. Fortner; Sen. Hultgren*) adapts language to the Township Code that would authorize township boards to deal with mowing grass, trimming or removing nuisance trees or bushes on neglected property. *Passed both houses; awaiting action of the Governor.*
- **Senate Bill 1379** (*Sen. Sullivan; Rep. Tracy*) increases the threshold for a township highway commissioner to have a pecuniary interest in lease contracts if the aggregate total of the contracts is less than \$2,000 (was \$1,000) with the approval of the town board of trustees or the highway board of auditors. *Passed both houses; awaiting action of the Governor.*
- **House Bill 476** (*Rep. Winters; Sen. Viverito*) provides for a proportional allotment of motor fuel tax receipts to **all** townships, rather than to just those that levy at .08%. *Passed the House; defeated in Senate committee.*
- **House Bill 644** (*Rep. Verschoore; Sen. Haine*) adds township sewer service systems as entities that may, along with municipalities and sanitary districts that now can, discontinue water service for non-payment of sewer bills. *Passed the House; held in Senate committee and pending for fall.*

In addition to TOI's specific agenda, there were several measures that received the support of townships, including:

- **Senate Bill 78** (*Sen. Clayborne; Rep. Black*) would more precisely define what constitutes a "mobile home" for purposes of tax assessment and inspec-

tions. *Passed the Senate; held in House committee and pending for fall.*

- **Senate Bill 1254** (Sen. Althoff; Rep. Burke) would have exempted outdoor “physical fitness” facilities owned or operated by a municipality or township from the Physical Fitness Facility Medical Emergency Preparedness Act. *Passed the Senate; substance of the bill amended out in House committee.*
- **House Bill 641** (Rep. Mautino; Sen. Wilhelmi) extends the time period for expenditure of moneys apportioned by IDOT to counties for the use of road districts for bridge construction. *Passed both Houses; awaiting action of the Governor.*
- **Senate Bill 49** (Sen. Althoff; Rep. Ryg) increased state reimbursement to local road districts for the purchase of road salt during the 2008-2009 season. *Passed the Senate; held in House committee.*
- **Senate Bill 49** (Sen. Clayborne; Rep. Fritchey) expands the definition of public works for the purposes of prevailing wage laws to include projects funded by public grants or those in TIF districts and enterprise zones. *Passed the Senate; held in the House with deadline for passage extended to November 30, 2009.*
- **Senate Bill 189** (Sen. Raoul; Rep. Madigan) expands the scope of the Freedom of Information Act by broadening definitions of what must be provided by governments, requires designation of an employee, officer or member as an FOI officer, requires computer training of that person, and creates an FOI mitigation section within the Illinois Attorney General’s office, as well as other provisions. *Passed both houses and awaiting action of the Governor.*

And other measures that we opposed:

- **Senate Bill 1268; House Amendment #2** (Rep. Franks) would have provided full access to heavy trucks on local roads and bridges with no limits for up to five miles. *Defeated in House committee.*

Because the Illinois General Assembly remains in recess, the Township Officials of Illinois will continue to monitor legislative activity should it reconvene before the fall veto session.

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