



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

Room 400, Government Center,  
115 E. Washington Street, Bloomington, IL  
Wednesday, December 22, 2021  
1:30 p.m.

1. Call to Order – Chairman Barnett
2. Approval of Minutes – November 29, 2021
3. Appearance by Members of the Public and County Employees
4. Items for Action:
  - a. Request approval of 2022 Legislative Program
5. Items for Information
  - a. Other Business and Communication
6. Adjournment

## Minutes of the Legislative Subcommittee

The Legislative Subcommittee of the McLean County Board met on Monday, November 29, 2021 at 4:30 p.m. in Room 400, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Josh Barnett, Members Susan Schafer, George Wendt, Gerald Thompson, Jim Soeldner, Lea Cline and Benjamin Webb

Members Absent: None

Other Board Members Present: None

Staff Present: Ms. Cassy Taylor, Interim County Administrator, Mr. Chris Spanos First Assistant State's Attorney – Civil Division; Ms. Cathy Dreyer, Assistant County Administrator; Ms. Julie Morlock, Recording Secretary

Department Heads/  
Elected Officials Present: None

Others Present: None

Chairman Barnett called the meeting to order at 4:30 p.m. and declared a quorum.

Chairman Barnett confirmed there were no members of the public to appear.

Chairman Barnett presented for action a request to approve Minutes from the September 30, 2021 meeting.

Motion by Webb/Soeldner to approve the September 30, 2021 meeting minutes.  
Motion Carried.

Chairman Barnett presented for action a request to approve Legislative Principles. Ms. Taylor indicated she felt it was a good idea to have guiding principles so if legislation is introduced that needs a quick turn-around Administration has direction without convening the Committee or Board.

Motion by Wendt/Soeldner to approve Legislative Principles.  
Motion Carried.

Chairman Barnett handed out legislative program from past years as a starting point for discussion. Ms. Taylor indicated if a topic had been resolved or was no longer applicable then staff removed it from the 2022 program. She indicated staff had not added any new items as she felt the Committee would have suggestions. Mr. Barnett indicated there would also be a form members could fill out to suggest any new platforms. Ms. Taylor handed out form and Mr. Barnett went over form and noted that a fillable pdf would be sent to all Board members. Mr. Soeldner asked if they should include references to any pending litigation when they suggest a new topic. Ms. Taylor confirmed that would be helpful.

Ms. Schafer asked if financial support for electronic filing mandates was still valid considering plans for a case management system. Ms. Taylor noted it was valid as we are still asking for the State to fund the processes, so as we plan to move forward with an expensive system but would still encourage State funding on systems and upgrades to meet State requirements. Mr. Thompson asked if groups were consulted who might also support some of our efforts. Ms. Taylor stated staff had not identified allies or supporters of these topics. Mr. Thompson encouraged discussing topics with other groups to get more movement in the legislature. Mr. Thompson stated he liked this short document because he felt if there are too many things on the list then some items do not get the attention needed. There was discussion about including things already in the document and timing to add any new platform ideas including an additional meeting to get completed document approved at January Board.

Mr. Barnett then went over legislative resolution form distributed by Ms. Taylor. Ms. Taylor encouraged them to submit any legislative suggestions and staff could look to see if other counties are proposing legislation or if there has been discussion on proposed topics. Mr. Soeldner asked for clarification of process by providing an example from the past regarding eliminating the Bloomington Election Commission. Mr. Barnett confirmed and noted that in the past resolutions went straight to the County Board and this would allow for discussion prior to going to the Board floor.

Ms. Schafer asked for clarification on resolution that might involve multiple bills. Ms. Taylor agreed some bills that are introduced are similar, so resolution could include bills on the same topic. Ms. Taylor also noted there are other ways to provide our support or lack thereof for a bill and provided example of conversations with Mr. Anderson who would take our position to legislators.

Ms. Taylor went over calendar and possible dates for meeting. Mr. Wendt asked about moving process to February cycle. Ms. Schafer noted timing before next legislative session starts. Mr. Webb asked if that was the reason for another meeting in December. Ms. Taylor confirmed that to get any legislation suggestions approved by the County Board and drafted before the next State legislative session if would need to go through the January cycle. Mr. Webb asked about platform timing versus legislation. Ms. Taylor noted platform is a once-a-year item and the legislation resolution form could be put forth throughout the year as things come up. The Committee agreed they could meet at 1:30 p.m. on December 22<sup>nd</sup> and staff indicated they would reach out to Member Cline.

Chairman Barnett asked if there was any further business for the Committee to consider; hearing none, he adjourned the meeting at 5:17 p.m.

Respectfully submitted,

*Julie Morlock*

Ms. Julie Morlock  
Recording Secretary



**OFFICE OF THE ADMINISTRATOR**

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**To:** Honorable Chairman and Members, Legislative Sub-Committee

**From:** Cassy Taylor, Interim County Administrator

**Date:** 11/22/2021

**Re:** McLean County Legislative Program for 2022 Session

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Please find attached, a copy of the current draft legislative agenda for 2022. It has been historically important to have a Legislative Agenda that both provides legislators with a guide about the particular interests of McLean County Government in any given legislative session and also allows the County Administrator's Office staff and the County's legislative consultants to appropriately respond to the eb and flow of each legislative calendar.

Based upon the discussion at the September 18, 2021 Legislative Sub-Committee, I offer the following alternative to address both desires and concerns expressed by the Sub-Committee Members.

- 1) Replace the term "Values" with "Principles"
- 2) Maintain "support" or "Oppose" language as guidance to staff

Due to the unforeseen nature of many of the issues that arise during each Legislative session, staff and the County's legislative consultants utilize the legislative principles set forth in the Legislative Program as guidance in determining positions as legislation is introduced or amended. This is especially important in responding to the relatively common practice of introducing substantively new legislation by amending a previously introduced bill and allowing very limited time to provide our position to legislators.

- 2) We have received no additional legislative proposal forms from Sub-Committee Members.

As you know, the primary objective for many sessions has been to oppose unfunded mandates and proposals that erode or divert Counties' existing revenue base. If you have additional items that you recall from the Board Oversight committees' activity, please contact either myself or Ms. Dreyer and we will work to address those items.



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As stated in our guiding legislative principles, we are well aware of the state and federal governments' financial situations and have tried to be responsive and responsible as we prepared our 2022 legislative program. Continuing as in past years, the County legislative policy is to:

**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 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 (LGDF) –** In years past proposed legislation has attempted to alter distributions to counties.

**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.** Past assemblies have called into 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



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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.

- **Topic – Fees and Fines** –Traffic offense fees cover more than related court costs including the general operation of local government. Fees assessed on traffic offenses should only cover costs related to the operation of the Court including offices/departments such as the Circuit Clerk, State’s Attorney, Public Defender and the Sheriff.

**Recommendation:** support legislation that adjusts fees so that all court costs related to traffic offenses be directly related to the local court system.

**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. 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** - 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.



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**Topic- Court Probation Funding.** Funding levels for state-mandated probation and detention services have maintained a positive trend in the last two years, with 2021 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, 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.

### **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



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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 previous funding sources, remove disparity between federal and state reimbursement rates, and identify new sustainable funding sources which cover the actual cost for critical mental health services.

**Topic – Illinois Mental Health Code - Illinois mental health code is more restrictive than HIPAA and 42CFR part 2. This creates real and misconstrued barriers to information sharing. State laws are more restrictive than federal laws and will take precedence over what is allowed in HIPAA. HIPAA was enacted to address privacy of health information and the growing use of technology for holding and exchanging health information. It was intended to balance privacy and continuity of care concerns, while assuring data security. However, many state mental health confidentiality laws were enacted at a time when cross-system care was not a major part of health care and when most health records were on paper, resulting in inconsistencies between federal and state law in some situations. Similar modifications to allow law enforcement to appropriately access the availability of information related to the person's treatment history and condition prior to arrest can enhance safety, improve the individual's health, and support recovery outcomes are needed.**





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**Recommendation - Amend the Illinois mental health code to be consistent with federal HIPAA and 42CFR part 2 code**

**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. This program will enlist the manufacturers, rather than taxpayers, in developing and implementing a statewide paint recovery plan, including education.

- **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- 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.