

## COMMITTEE REPORT

**COMMITTEE:** Legislative Committee

**CHAIRPERSON:** Don Zillig

**DATE/TIME** January 16, 2019

**PRESENT:**

<input checked="" type="checkbox"/> Don Zillig	<input checked="" type="checkbox"/> John Lang	<input checked="" type="checkbox"/> John Schultz	<input checked="" type="checkbox"/> LaDon Trost
<input checked="" type="checkbox"/> Ron Smith	<input checked="" type="checkbox"/> Hendrica Regez	<input type="checkbox"/> Jacob Shireman	<input checked="" type="checkbox"/> Scott Toot

A quorum was established.

Other Board Members:

Others: Dan Burke, Representative Andrew Chesney, Gary Diedrick, Craig Ketelsen, Dan Reimer and Sheriff Kevin Turner

1. **Call to Order** – Chairman Zillig called the meeting to order at 11:00 a.m.
2. **Minutes Approval** -
  - a) John Schultz made a motion to approve the minutes from the December 19, 2018 Legislative Committee meeting. Seconded by Hendrica Regez and motion carried.
3. **Citizens' Comments:** None.
4. **Unfinished Business:** None.
5. **New Business:**
  - a) Discussion and possible action on establishing meeting dates and start time for the FY2019 Legislative Committee meetings – **John Lang made a motion to approve the meeting schedule for FY2018 Legislative Committee meetings as presented. Seconded by John Schultz and motion carried.**
  - b) Discussion with Representative Andrew Chesney: Representative Chesney informed the committee that he was seated in December. The recent retirement of Senator Bivins allowed him and Senator Stewart to get started early. The benefit to our district in Northwest Illinois it gives us seniority over the incoming members for committee assignments. We have not put in for committee assignments yet. Speaker Madigan has not yet put forward what committees are going to be constructed. He has the ability to construct any committee and delete any committee that he would like. We should know our assignments by the end of January. Chesney has been in Springfield for two weeks now. Governor Pritzger is proposing two items that this body should be aware of. One is the gasoline tax. This is an effort to fund a capital bill. We don't know how many cents per gallon at this time. Chesney is concerned that we have some of the highest gas taxes in the country already. He doesn't believe residents can afford additional taxation. We are one of the states losing population. We have already lost 45,000 residents. We can't expand our taxes when people are not saying yes to our state. The second is the legalization of marijuana. This seems to have some bipartisan support. The challenges that Colorado is experiencing are not good. The third item is the progressive income tax. We are one of a handful of states that have a flat tax. That is a nice benefit and selling point for the State of Illinois. There is discussion on creating a scale and taxing people at different income levels. Chesney's personal opinion is

that will further drive people out of our state. There are also states that have no income tax and we have the ability to be fairly mobile with technology. Chesney's preference would be to lower the overall tax burden for everybody and take a look at our corporate income tax as well as our income tax. There was a time when we were taxed at 2% or 3%. We see it increasing go up because we are having less revenue come into the state. We are going to see casino gambling expansions as well. The final item is the gun laws. Chesney has great concern on the heavy restriction on extended magazines and magazine capacity. Those are the proposals they are hearing chatter on in the General Assembly. Chesney will be co-sponsoring and sponsoring bills that are going to be stuck in rules for a long time. Those will be bills that support the flat tax that we have presently installed, opposition to additional taxation and regulation in interest in cutting corporate tax rates and encourage residents to move here. One item of interest in Jo Daviess County is the chronic wasting disease (CWD). One of the bills that Chesney will be working on and filing in the next month is to simply ask that the Department of Natural Resources (DNR) is held accountable for their CWD programs specific to the deer culling. The second bill Chesney would like to look at is rifle hunting. It is popular throughout the country. The bill Chesney will propose will allow rifle hunting for deer hunting but it would give the county the latitude to make the decision. He will also propose a longer season. Chesney will also propose some economic development bills. One is the But For clause largely for edge tax credits. The last is the LLC fees. He will propose a fee holiday that will essentially entice people to incorporate in Illinois and establish their business here.

- i. Prevailing Wage – LaDon Trost & John Schultz – LaDon Trost commented that all prevailing wage jobs cost at least a third more on every project. Local people can't bid the same job as a private industry. Trost wondered about the possibility of a city or county bidding on a project \$20,000 or less to have prevailing wage diverted. He feels this would help the small jobs in municipal construction to be done at a fair labor cost. John Schultz commented that he would not be opposed to prevailing wage if it was actually the prevailing wage in a particular area but they are high rates which makes any construction at least a third if not fifty percent higher. We need to be able to do small jobs. Dan Reimer added that if we put a bid document out we have to make sure that prevailing wage is actually specified. We also have to get a certified payroll on the job. We send out a reminder annually to all of the folks who do public works for us that it is prevailing wage if you do work for us. Representative Chesney commented that he is very familiar with prevailing wage and there needs to be a conversation not whether to have prevailing wage or not have prevailing wage, but on the rate. He believes we are tied to the rates in Rockford and they are not the rates in Galena. Representative McCombie has worked with the unions and has made moderate progress of just a conversational of we don't disagree with prevailing wage. We want to make sure it is a local wage and the jobs that are under \$15,000 you don't want to have anything to do with anyway. There is no union hall in Jo Daviess County. They are not going to come all the way over here to do a \$5,000 - \$10,000 job. Is there an ability to have a little flexibility in our rural areas so that the dollars will stretch further?
- ii. Amending the Public Employee Disability Act – Scott Toot & John Schultz - Scott Toot gave the committee a handout about that law. The state treats their part-time employees the same as their full-time employees if they are hurt on the job. Full time

law enforcement and fire get their full salary for up to a full year. Municipal and county do not. A lot of the smaller agencies and rural areas use part time police. Elizabeth had a part time police officer injured on the job and it was a major hurdle for him and what he went through. Toot brought this up to this committee and the County Board. Brian Stewart proposed something, but UCCI opposed it as well as municipal. John Lang added that the bill did make it out of rules and got assigned to committee but never got called. This being a new legislative session it will be a new bill. LaDon Trost feels that it was opposed because you have to make a determination between a part time employee and a volunteer. Rural areas can't survive without part time people. Many of the part time people that have seen this happen are not going to take that part time job anymore. Scott Toot added that the training requirements are the same for part time and full time so they should be treated the same if they are injured on the job. Representative Chesney commented that the Sheriff's Association and the UCCI are split. The consensus amongst many parties as to what the best path forward is. Historically those that have advised on those issues, urban and rural, he doesn't think that where there is a large majority of representation that part time police officers is not very familiar. When you couple that with some of the major groups that advise is probably where you are getting a little bit of a hang up and some sticky points. Sheriff Turner would be in favor because he has had an officer get injured and was not able to be paid at his full-time rate.

- iii. Special Tax Referendum – John Lang, Ron Smith & John Schultz – Ron Smith commented that he has worked with UCCI on this item for some time. He has contacted Cook County which is a home rule county so we cannot compare with them. Blue County in Minnesota has this tax so he called them and talked to the lady there. The state of Minnesota did implement that they could apply a county tax that could specify a particular tax such as a road maintenance or safety. Smith feels there is an opportunity here to pick up additional revenue with this additional tax. It would only go on hotel bills to be used for a specific use. Dan Reimer added that right now the statute allows counties to charge up to 5% hotel/motel tax. The state collects 6%. When someone stays in an unincorporated area the total hotel/motel tax is 11%. By ordinance the County Board maxed the county tax at 5%. This amount must be spent for the purpose of promoting tourism. It has to be stated in the statute that you can put a referendum question out to the voters. John Lang commented that from past experience he feels it is best to modify an existing statute. We already have statutes. Cities can levy a tax up to 6%. The county is limited to 5%. Galena levies its own tax. Both the county and the city give that money to the GGMI for tourism promotion. Lang proposes that we put a 1% tax for infrastructure, police protection and emergency services. We can't touch the portion that goes to the city. If the city decides to levy its own tax the county can't benefit from it. Lang is suggesting this as a possible bill. All it would take is a County Board vote. You would not have to go out and get a referendum. John Schultz commented that he thinks John Lang's format has a chance of passing. He understands Smith's idea that we try to get some legislation that allows other counties in the state to do that but that will be a larger hurdle to jump over.

- iv. Volkswagen Settlement & Charging Stations – Hendrica Regez – Hendrica Regez commented that people own electric vehicles (EV) because they share our concerns for clean air that we have and some communities that we are known for. When EV owners go on a road trip they go shopping or dining when they recharge their cars and spend money in those communities. The problem is that electric vehicles have limited range and there are no charging stations between Galena and Rockford. This means that many owners can't take their vehicles on longer trips. With a million visitors a year and the number of EV sales growing rapidly, our county stands to gain many economic and environmental benefits from installing charging stations in our communities. Encouraging travel with EV's instead of gasoline powered cars would also help Illinois reach its emission reduction target sooner. The solution to pay for these charging stations can be found in the Volkswagen settlement. Everyone has heard about the multi-million dollar settlement with the Federal government for violations of the clean air act where Volkswagen admitted installing defect devices in diesel vehicles. Illinois' initial allocation from the settlement fund is \$108 million. The fund is administered by the Illinois EPA and they have published a beneficiary mitigation plan that outlines how it will be distributed. Initially the Chicago area is to receive priority in funding. Illinois expects to request up to 10% of the funds be allocated for the acquisition, installation, operation and maintenance of EV charging stations. Actually up to 15% could be allowed for this purpose. Per the plan, Illinois intends on funding this charging equipment in later funding rounds to provide sufficient time to engage project partners, studying the need and types of supply equipment and solicit public input. The Illinois EPA also states that the plan is not binding and may be revised at any time. Regez asked for Chesney's help in getting funding for EV charging infrastructure for Jo Daviess County. Chesney added that he will join us in the fight of getting the dollars that we deserve.
- v. EMS Sustainability – Scott Toot – Scott Toot commented that the County Board created an ad-hoc committee on EMS Sustainability because the rural ambulance services are having problems attracting volunteers, keeping volunteers and part of the problem is the State of Illinois does not consider EMS Service an essential service. Police and fire are considered essential services, but not EMS. Another problem is that Illinois Department of Public Health (IDPH) again has the same rules for a full time fire department with an ambulance service as a part time volunteer service. They are making the volunteers go through are a major drain on their time and it is hard to attract people when they have to go to all of these. If there were some sort of dissertation between rural and urban as far as what the IDPH does it would be a big help. Funding is an issue as well. Right now we have special service areas that cover the funding that the County Board had created. Toot feels that ambulance services should be considered essential services. Chesney commented that hopefully we can make some headway in this area. He is very familiar with rural and volunteer fire departments. The way that they pack on all of the unfunded mandates for the volunteers makes it very challenging. He knows a lot are going to a paid on call type system just so that they have somebody available. Then there is mutual aid where they have agreements with other EMS services. It is a huge challenge. Chesney is on board with anything we can do to attract more volunteerism. The challenge is there is an effort to make it very difficult to volunteer.

vi. **ATV Use on Public Roads – LaDon Trost** – LaDon Trost commented that he realizes the Illinois Police Association and Illinois Chiefs of Police are against this, however, he has looked at the economic impact of ATV travel on designated roads in Wisconsin. The tremendous revenue from allowing certain roads to be designated as routes for ATV traffic. People in Wisconsin will take weekends, summer and winter, and they travel to different locations throughout the state on their ATV's going to motels, dining places and other places that are being impacted financially by the use of the ATV's on public roadways. Trost feels that we in rural Jo Daviess County have got to figure out ways to gain more revenue. The only restriction that he sees on this is that the speed must be designated as 30 miles per hour and designated roads with the 30 mile per hour speed limit on. We don't have any and there is not going to be any. This needs to change if we are ever going to allow such a thing in our rural areas. Trost believes that we need to look at something like this and gain from what other states in bordering areas have done and brought revenue into their county. Don Zillig commented that he is personally opposed to this. If the roads in Jo Daviess County were straight and flat he would be all for it, but he doesn't want to come around a corner at 55 miles per hour and there is a guy there going 30 miles per hour. Ron Smith asked if the County had the right to authorize them. Dan Reimer commented that right now the issue is ATV's/UTV's are only allowed on roads that have a 35 mile per hour or less speed limit. All of our roads are 55 miles per hour in the county. Our State's Attorney has already ruled that we would be opening up a lot of liability to the county if we ever did anything against state statute. Certain townships and municipalities do and have already connected to each other along the border counties. At the last County Board Chairs meeting this was discussed and all six County Board Chairs were on board with some sort of legislation. Sheriff Turner commented that he is not for it or against it. He questioned who is going to take care of the licensing for the ATV's, who is going to do the patrol to make sure that it is all safe. There is a lot more to it. Hendrica Regez asked that if you do create some legislation create it for some multi-purpose use, not just ATV's, but also include bicycles and other slow moving vehicles.

6. **Legislative Looking Glass** – Don Zillig commented that we have a citizen, Hal Gilpin, who follows all of the bills and puts together this Legislative Looking Glass that the public can look at on our website. This helps us follow the bills that concern our county.

7. **Citizens' Comments:** Gary Diedrick commented that regarding the townships there seems to be continuing legislation proposed annually for the elimination, revision and consolidation. Representative Chesney commented that in general he thinks townships do a good job and they are the closest entity to the public. From his experience, he finds them to be effective. When you are seeing the conversation about consolidation it is speaking more to areas where there are townships that do not have a road district or road districts that only have a few miles of road and encouraging the consolidation of those. In general, Chesney does not support forced consolidation from the state level. He thinks it is a benefit to townships if the trustees of two townships want to merge and come into an agreement to pool services. We need to make sure state statute allows for that to be a reasonably good process but through referendum. Generally speaking he is a proponent of townships.

8. **Board Member Concerns:** Ron Smith thanked Representative Chesney for attending the meeting today. Also, on December 26<sup>th</sup> the Northwest Illinois Enterprise Zone application was filed downstate. LaDon Trost also thanked Representative Chesney for coming to the meeting today. He is always willing and is going to be such an advantage to our area in everything he does. Representative Chesney informed the committee that his office in the district is in Freeport, IL. They are also located and doing another office in the Elizabeth area. This will allow him to be more accessible to the residents of Jo Daviess County. Sally, his legislative aide, is a wealth of information and is wonderful for constituent services. Don Zillig and Scott Toot also offered their thanks to Representative Chesney.
9. Next regular meeting – Wednesday, February 20, 2019 at 11:00 a.m.
10. Meeting adjourned at 12:51 p.m. following a motion made by John Schultz, seconded by John Lang.