



**OFFICE OF THE LIEUTENANT GOVERNOR  
EVELYN SANGUINETTI – LIEUTENANT GOVERNOR**

**Local Government Consolidation and Unfunded Mandates Task Force**

Tuesday, December 1, 2015

16th Floor, Room 504  
James R. Thompson Center  
100 W Randolph St  
Chicago, IL 60601

And supplemental location via videoconferencing

Lieutenant Governor's Springfield Office  
Room 214  
Illinois Capitol Building  
Springfield, Illinois 62707

11 AM

<b>Name</b>	<b>Title</b>	<b>Organization</b>	<b>Present</b>
Evelyn Sanguinetti	Lt. Governor	State of Illinois	Yes
Tom Demmer	Representative	90 <sup>th</sup> District	Phone
Mark Batinick	Representative	97 <sup>th</sup> District	Phone
Jack Franks	Representative	63 <sup>rd</sup> District	Phone
Emmanuel Chris Welch	Representative	7 <sup>th</sup> District	No
Dan Duffy	Senator	26 <sup>th</sup> District	No
Dale Righter	Senator	55 <sup>th</sup> District	No
Martin A. Sandoval	Senator	12 <sup>th</sup> District	No
Linda Holmes	Senator	42 <sup>nd</sup> District	Yes
Karen Darch	Mayor	Barrington	Yes
Karen Hasara	Former Mayor	Springfield	Yes
Brad Cole	Executive Director	Illinois Municipal League	Yes
Ryan Spain	City Council Member	Peoria	No
Dan Cronin	Chairman	DuPage County	No
Michael Bigger	Former Chairman	Stark County	Phone
Mark Kern	Chairman	St. Clair County	Phone

John Espinoza	Board Member	Whiteside County	No
Dr. Darlene Ruscitti	Regional Superintendent	DuPage Schools	Phone
Steffanie Seegmiller	Chairman	Arthur School Board	Yes
M. Hill Hammock	Senior Fellow	Metropolitan Planning Council	Phone
Char Foss-Eggemann	Trustee	Park Ridge Library Board	Yes
Warren L. Dixon III	Township Assessor	Naperville	Yes
George Obernagle	Chairman	Kaskaskia Regional Port District	Phone
<b>Non-Voting Members</b>			
Clayton Frick		Deloitte Services LLP	Yes
Mr. Aranowski			Yes
Mr. Kersey			No
Mr. Zigmund			No
Mr. Perkins			No

The Local Government Consolidation and Unfunded Mandates Task Force met for the thirteenth time on December 1<sup>st</sup>, 2015 with Lieutenant Governor and Chair Evelyn Sanguinetti presiding.

#### **MEETING LOCATION**

16th Floor, Room 504  
James R. Thompson Center  
100 W Randolph St, Chicago, IL 60601

#### **MEETING START**

Meeting Scheduled Start: 11:00AM  
Meeting Actual Start: 11:05AM

#### **AGENDA**

- I. Call to Order and Roll Call**
  - a. Lt. Governor Sanguinetti called the meeting to order at 11:05AM CT and welcomed members.
  - b. Roll Call was taken. Quorum was met.
  
- II. Action Item: Motion to Approve the time at which to Adjourn the previous meeting**
  - a. Lt. Governor Sanguinetti motioned to approve the adjournment of the prior meeting.
    - i. Holmes moved the motion and Dixon seconded.
  
- III. Approval of meeting minutes from November 19, 2015**
  - a. Lt. Governor Sanguinetti opened the floor for corrections to the November 19<sup>th</sup> meeting minutes.
  - b. With no corrections brought forth, Lt. Governor Sanguinetti motioned to approve the minutes.

- i. Hammock moved and Darch seconded.
- c. The motion was approved by majority ayes with no nays recorded

**IV. Chairman's Remarks – Lt. Governor Evelyn Sanguinetti**

- a. Lt. Governor Sanguinetti welcomed members to the thirteenth Task Force meeting and expressed appreciation for their work. She noted that they would be voting on five proposals, which if approved, would then be included in the final report presented to the Governor and General Assembly.
- b. Lt Governor Sanguinetti also motioned for unanimous consent to move public comment before new business to ensure the public was heard before votes were cast. All ayes with no nays recorded.

**V. Public Comment**

- a. No public commenter present

**VI. New Business:**

- a. Voting on Consolidation and Unfunded Mandate Proposals
  - i. Proposal #1: Economic Feasibility Exemption for Local Units of Government, School Districts, Community Colleges, and Institutions of Higher Education.
    - 1. Lt. Governor Sanguinetti asked Brian Colgan to give a summary of the proposal then opened the floor for discussion.
      - a. Darch inquired why the definitions of unfunded mandates in Proposal 1 and 3 were different.
      - b. Foss-Eggeman expressed concern with the broad language involving public safety. She pointed out that public safety may be interpreted a number of ways with variable definition.
      - c. Kern noted that there is already unfunded mandate legislation in Springfield but the legislature gets around that by exempting the mandate from that legislation. He inquired if Proposal #3 would take care of this circumvention in relation to Proposal #1.
      - d. Regarding part 3 of Proposal #1, Cole questioned if a State Agency Director is appealing to the Governor's Office or the Governor himself, and if that body is the final authority on allowing or disallowing the unfunded mandate for the locality in question. He recommended the appeals process be clarified.
      - e. Seegmiller asked for clarification regarding the language concerning instructional mandates for school districts.
      - f. Holmes commented that as the Task Force gets more in depth with the material, they get into more minute details. When they shift the power away from the General Assembly

and giving it to the Governor, they are not gaining from the local control issues.

- g. Foss- Eggeman pointed out problematic wording in Part 3 of Proposal #1.
  - h. Franks said he thought this idea is good but the mechanism is flawed because he does not believe the General Assembly should be removed from the process, and that there needs to be oversight.
  - i. Cole commented that there is a reference in the State Mandates Act that mentions a State Mandates Board of Review that is required to meet annually. That board may satisfy the desire of some for General Assembly oversight because this board is an existing body already authorized by the legislature.
  - j. Lt. Governor Sanguinetti asked Task Force members on feedback for how they should define public safety.
    - i. Foss-Eggeman replied that the definition should fall somewhere between the narrow definition of imminent threat of bodily harm and the broad definition of concerning health.
2. Lt. Governor noted that as a Task Force, they still have language issues to work out and therefore sought a motion to table the proposal vote until next meeting.
- a. Foss-Eggeman moved and Holmes seconded. All ayes with no nays recorded.
- ii. Proposal #2: Request the Governor use amendatory veto power to insert “if economically feasible” language into legislation authorizing new unfunded mandates on local governments.
- 1. Lt. Governor Sanguinetti asked Brian Colgan to give a summary of the proposal then opened the floor for discussion.
    - a. Holmes inquired about the logistics of this proposal.
    - b. Darch asked if they are using the definition of unfunded mandate put forth in Proposal 3, and noted that she would lean towards that definition since it is featured in the State Mandates Act.
    - c. Lt. Governor Sanguinetti sought a motion to amend Proposal #2 to feature the definition of unfunded mandates pursuant to the State Mandates Act.
      - i. Darch moved and Holmes seconded. All ayes with no nays recorded. Roll was taken. See attached.
    - d. Lt. Governor Sanguinetti then sought a motion for passage as amended.



- viii. Lt. Governor Sanguinetti sought unanimous consent to strike bullet point four of Proposal #3. No objectors.
      - ix. She then sought a motion to approve Proposal #3. Kern moved and Darch seconded. Roll was then taken. See attached.
- iv. Proposal #4: Require Annual State Review of Unfunded Mandates on Local Government.
  - 1. Lt. Governor Sanguinetti asked Brian Colgan to give a summary of the proposal then opened the floor for discussion.
    - a. Senator Holmes noted that she thought this idea makes sense.
    - b. Hasera asked if it makes more sense to have the State Mandate Review Board do the relevant work.
      - i. Darch responded that rather than use this appointed board, it would likely make more sense to utilize a full-time staff, and have it stay with the department that was charged with the report.
  - 2. Lt. Governor Sanguinetti motioned for approval of Proposal #4.
    - a. Senator Holmes moved and Cole seconded. All ayes with no nays recorded.
- v. Proposal #5: Give control of employee retirement benefit packages back to local governments for new employees.
  - 1. Lt. Governor Sanguinetti asked Brian Colgan to give a summary of the proposal then opened the floor for discussion.
    - a. Cole commented that they are seeking more discretion and ability to craft hybrid plans whether it is 401k, social security, or otherwise. Additionally, to put new employees in a new plan that does not diminish benefits of existing employees or current pensioners.
    - b. Representative Batinick noted that everyone on the state level was switched to Tier 2, and that is likely what will happen on a local level. However this would not be beneficial because it is a worse option than social security. Additionally, he recommended current employees should have the option to switch into a new plan if they so choose. He urged a yes vote.
    - c. Foss-Eggeman questioned which fund this proposal concerned.
    - d. Seegmiller noted that she was under the assumption this included school districts, and suggested an amendment to include school districts.

- e. Foss-Eggeman asked if this shifts the debt that comes along with the pension funds back to the local government, or if this is in regard to moving forward.
- f. Representative Batinick mentioned that adding schools would be problematic because schools are in a statewide plan even though they are in a local unit, and therefore it is cleaner if schools are left out of this proposal. Local governments on the other hand, pay out of their own budgets.
- g. Seegmiller commented that this proposal could be beneficial for school districts because of the flexibility it could provide involving new teachers and plan options.
- h. Aranowski said the agency does not have a position on this matter, and that he could gather further information.
- i. Darch recommended adding a fifth bullet to the proposal saying retirement benefit packages shall not be a mandatory subject of collective bargaining.
- j. Cole motioned to table this proposal until the next meeting and Darch seconded. All ayes with no nays recorded.

b. Proposal Vote Tallies

Motion to Amend Proposal #2 to use the definition of unfunded mandate pursuant to the definition in the States Mandates Act	Yay	Nay	Abstain
Lt. Governor EPS	X		
Rep. Demmer	X		
Rep. Franks	X		
Rep. Welch			
Rep. Batinick	X		
Senator Duffy			
Senator Righter			
Senator Sandoval			
Senator Holmes			X
Ms. Darch	X		
Ms. Hasera	X		
Mr. Cole	X		
Mr. Cronin			
Mr. Bigger	X		
Mr. Kern	X		
Mr. Espinoza			
Dr. Ruscitti	X		
Ms. Seegmiller	X		
Mr. Hammock	X		
Mr. Dixon	X		

Mr. Obernagel	X		
Mr. Spain			
Ms. Foss-Eggemann	X		
Total	15	0	1

<b>Proposal #2 as amended</b>	<b>Yay</b>	<b>Nay</b>	<b>Abstain</b>
Lt. Governor EPS	X		
Rep. Demmer	X		
Rep. Franks	X		
Rep. Welch			
Rep. Batinick	X		
Senator Duffy			
Senator Righter			
Senator Sandoval			
Senator Holmes		X	
Ms. Darch	X		
Ms. Hasera	X		
Mr. Cole	X		
Mr. Cronin			
Mr. Bigger	X		
Mr. Kern	X		
Mr. Espinoza			
Dr. Ruscitti	X		
Ms. Seegmiller	X		
Mr. Hammock			
Mr. Dixon	X		
Mr. Obernagel	X		
Mr. Spain			
Ms. Foss-Eggemann	X		
Total	14	1	0

<b>Proposal #3</b>	<b>Yay</b>	<b>Nay</b>	<b>Abstain</b>
Lt. Governor EPS	X		
Rep. Demmer	X		
Rep. Franks		X	
Rep. Welch			
Rep. Batinick	X		
Senator Duffy			
Senator Righter			
Senator Sandoval			
Senator Holmes		X	
Ms. Darch	X		
Ms. Hasera	X		
Mr. Cole	X		
Mr. Cronin			
Mr. Bigger	X		
Mr. Kern	X		
Mr. Espinoza			
Dr. Ruscitti	X		
Ms. Seegmiller	X		
Mr. Hammock			
Mr. Dixon	X		
Mr. Obernagel	X		
Mr. Spain			
Ms. Foss-Eggemann	X		
<b>Total</b>	<b>13</b>	<b>2</b>	<b>0</b>

<b>Proposal #4</b>	<b>Yay</b>	<b>Nay</b>	<b>Abstain</b>
Lt. Governor EPS	X		
Rep. Demmer	X		
Rep. Franks	X		
Rep. Welch			
Rep. Batinick	X		
Senator Duffy			
Senator Righter			
Senator Sandoval			
Senator Holmes	X		
Ms. Darch	X		
Ms. Hasera	X		
Mr. Cole	X		
Mr. Cronin			
Mr. Bigger	X		
Mr. Kern	X		
Mr. Espinoza			
Dr. Ruscitti	X		
Ms. Seegmiller	X		
Mr. Hammock			
Mr. Dixon	X		
Mr. Obernagel	X		
Mr. Spain			
Ms. Foss-Eggemann	X		
<b>Total</b>	<b>15</b>	<b>0</b>	<b>0</b>

- c. NIU Task Force Report Update
  - i. Norm Walzer provided members with a Task Force report update.
- d. Member comments
  - i. Brian Colgan commented that if any members would like to look at the proposals about consolidation and unfunded mandates submitted by the survey respondents, there are sixty-three suggestions regarding a wide range of issues and they are available for member review. He also said they will be listed in the final report.

## **VII. Adjournment**

- a. Lt. Governor Sanguinetti motioned to adjourn 12:45PM.
  - i. Dixon moved and Darch seconded. All ayes with no nays recorded.