

COMMITTEE REPORT

COMMITTEE: Legislative Committee
CHAIRPERSON: John Lang
DATE/TIME January 25, 2024 at 2:00 p.m.
PRESENT:

☒ John Lang ☐ Dan Holcomb ☒ LaDon Trost ☐ Darcy Wild
☒ John Schultz ☐ John Creighton ☒ Don Zillig

A quorum was established.

Other Board Members: John Grizzoffi, Tina Brandel, Joseph Heitkamp, Dianne Allendorf and Diane Gallagher

Others: Scott Toot, Mark Klausner, Sheriff Kevin Turner, Steve McIntyre, Senator Andrew Chesney, State's Attorney Chris Allendorf, Kim Scace, Brad Petersburg, Circuit Clerk Kathy Phillips and Katie Wienen. Mike Dittmar appeared via Zoom.

1. **Call to Order:** Chairman Lang called the meeting to order at 2:00 p.m.
2. **Minutes Approval:**
 - a) Minutes of the November 9, 2023 Legislative Committee meeting – The minutes were not included in the packet at this time.
3. **Citizens' Comments:** Mark Klausner, Owner at Eagle Ridge Resort & Spa, spoke regarding the 1% Hotel/Motel Service tax. He read over concerns he has for his business. He said that they can control their business, but cannot control the Government. Klausner mentioned Eagle Ridge's increase in taxes and how it directly affects their business. They have to pass along the increases to the customers by raising prices. Katie Wienen, COO of Stoney Creek Hotels, spoke next. She said she agrees with Klausner and others. Occupancies are already decreasing. Stoney Creek Hotels are not in favor of the 1% Hotel/Motel Service tax. Mike Dittmar also spoke against the proposed 1% Hotel/Motel Service tax. He said he believes it means well, however, it's just a plain bad idea. Inflation is at an all-time high and now is not the time to implement it. This tax would make it more expensive to visit our County. They need more people to visit Elizabeth, not less. He urged the Board to not move forward with this plan. Brad Petersburg, Northwest Illinois Forestry Association, brought up the Illinois Timber Tax. Anytime a resident harvests any timber, 4% of that has to be retained by the buyer and sent to the DNR. According to the Forestry Development Act, the 4% tax was supposed to be given back to the timber growers to help them perform various forestry management practices. That doesn't happen anymore. Since 2015, not a penny has been used for that purpose. He feels it's time to repeal the Timber Tax.
4. **Unfinished Business:** None.
5. **New Business:**
 - a) Introduction of Senator Chesney and members of the Board - Lang introduced Senator Andrew Chesney and thanked him for all the service that he has given us. Lang asked the Board members to introduce themselves. Senator Chesney thanked the Board for having him attend.
 - b) Overview of what to expect this coming Spring season –
 - c) Status of Bills requested by County Board –
 - i. SB1746 – Jo Daviess County 1% Service Tax – Revenue – Senator Chesney spoke about the 1% Hotel/Motel Service Tax and gave a little background on it.

He talked about how County and Local government are like a firewall. If you have a good Local Government, it really offers the 'insulation' that residents need. The way that State law is written for Counties of our size which are not Home-Rule Authority, doesn't allow the County Boards to pass a particular tax by a simple majority. Chesney thinks many County Boards would be split, regardless of political affiliation. He said he has never voted for a tax or fee increase of any kind. He feels the most equitable way to assess a tax is to ask the voters directly if they want it. Chesney also added that Jo Daviess County deals with different issues than other Counties or our size, by the influx of tourism in our area. He stated that he wasn't comfortable moving forward with anything until he knew that the Electorate had a chance to have an advisory opinion. He proposed the County Board put this out as a referendum, which they did, and 66% voted yes. He wants to stress the way the Bill is written; that if it does get signed into Law, is to go back to a binding referendum. He chose that way, because he feels the way to pass any tax, in this State is, there needs to be several layers and opportunities for the opposition of a tax to have their voice heard. The County Board isn't passing a tax, the Legislature is not passing a tax; they're simply asking the voters if they want to pass a tax. Right now, the status of that tax is that it's in Committee. He doesn't believe this is something that will likely move, but it doesn't mean that it's not going to move.

- ii. SB2141 – ATV/UTV – on Public roads – Rule 3-9 (A) – Chesney met with the Secretary of State last week, and he seems to be open to some ATV use in the State. The Sheriff's Association is about 50/50 split on this. If you take a look at where law enforcement is at on ATV use, there is some concern. If you ask the Road Commissioners, they would generally not be very supportive of this. The Engineers are concerned about the safety aspect of this. The largest hurdle though, would be the Secretary of State since they would have to implement and administer the program. The SOS expressed an interest in advancing this in smaller Counties. He did request a follow up meeting to see if there could be a reached compromise for smaller communities. Like anything in Illinois, these things take some time. Chesney views this as something that could be very real. It's going to take UCCI, The IML, The Hotel/Motel Association and Tourism Association to make a combined effort to get this moving. An individual Legislative push of this size is probably not going to become very visible. We need to bring up the visibility on the overall issue. Chesney feels that if we get the UCCI members to continue to work on this, it would also be helpful. At the end of a Legislative session, it gets put into a Rule, or assignment, which means it's 'pretty much dead'.
- iii. SB1660 – \$20,000 exempt from prevailing wage – Chesney stated that this is not going to move. It is the law of the land and it's not going to change. He feels we need to continue to talk about the ideas we have and even modest changes to the Prevailing Wage Act would offer significant savings, especially for our small towns.
- d) Bill on illegal immigrants – We are seeing a massive influx of migrants that are overloading our systems. He brings this up as an encouragement to work with local officials to discourage migrants from coming to our County. Primarily, this is an issue in Chicago, but it's starting to happen in the smaller communities. We do not have the

infrastructure to handle massive numbers of migrants. Senator Chesney recognizes that this is not an easy subject.

- i. Rescind Trust Act – This Act essentially prohibits local law enforcement from communicating with I.C.E. Traditionally, asylum seekers would have 180 days and then have their day in court. A good percentage of those asylum seekers would be granted asylum. What we are seeing now, is the reverse; if you take a look at where the asylum seekers are coming from, which is primarily Central America, they have between a 65-80% chance of being rejected; however, their court dates are not for five to seven years. When they get to their court date, if they show up, they are not going to leave if they're rejected. They will have already been here for years and will not pack up and leave. This will put local communities in a really tough spot.
- ii. Eliminate Free Healthcare - Senator Chesney spoke about how we give the best healthcare in the State to illegal immigrants and migrants. They are given healthcare covered by the Federal Government for 8 months. What happens after that, is the taxpayers of Illinois have to pay after that 8 months. Under Governor Pritzker, the co-pays have been suspended for illegal immigrants.
- iii. Free Transportation out of Illinois – This is for the migrants who have come to our State and want to leave.
- e) Invest in Kids Act – This was a program put in place under Governor Rauner. It was a tax credit for those that were in failing schools.
- f) 40 hours of Paid Leave a year – Chesney said that they did not support this. This bill was frustrating because it hurt the smaller employers. It's so punitive for the employers, and it wasn't very well-written. He hears that some modifications that are being presented.
- g) State law that almost all State vehicles must be EV – This is pushed out to 2045. He feels the EV conversation has somewhat fallen apart. Chesney thinks we should allow the markets to decide what we drive.
- h) Additional State laws or proposed laws we need to be aware of, including the Lane Duck – This is an election year, so Senator Chesney said this is usually the quieter of the two years. He thinks the big Bill that we're going to hear about, is the migrant issue. That is going to be contested. There were cuts for those with developmental disabilities, and the Republican Party put a lot of pressure on the Governor to not cut the funding of that, and he did put a moratorium on that cut.

6. **Legislative issues Committee members or County Officials want the Committee to be aware of and take action on** – Diane Gallagher asked Senator Chesney if there are other Counties that have been successful in hiring a lobbyist. Chesney answered that it's a local policy decision that we would have to make. John Schultz mentioned 4 Bills that he wanted information on. The first is SB685 that got passed last year. It says that you cannot accumulate 2.5 times more money spent in a fund than was spent last year. He asked if that affects all of the township funds. Chesney said the townships levied a tax and weren't using all of the funds. The other one is SB895, which limits local government from using workers from other units of government for transportation and management of highways. Chesney said it was a Union Protection bill, but the intergovernmental piece was changed. There were some other Bills discussed. Sheriff Turner brought up HB4469 which eliminates due process for someone getting an Order of Protection against them; law enforcement shall go in and serve a search warrant to remove weapons from houses. He's concerned that they'll

take someone's weapons before they are even convicted of anything. Senator Chesney said he'll have his eyes on this now. Turner also asked if other Counties in Chesney's area have been impacted by the Safe-T Act. Phillips said just in the past 3 months since the Safe-T Act was enacted, they're averaging from \$25,000-\$35,000 less each month. They aren't taking in the bond money to apply toward the costs anymore. Senator Chesney said the financial piece is something they haven't talked about a lot yet. He said that the practical issue on the communities is the financial shortfall. Phillips said they are seeing problems with those who are sentenced to jail, and not appearing, and there's an issue about how we get them into our jail, since we cannot issue warrants. Grizzoffi mentioned some more issues with the Safe-T Act.

7. **Citizens' Comments:** Mark Klausner asked Senator Chesney how we become a sanctuary State. Chesney said it came under the Trust Act signed by Governor Rauner in 2017. He spoke of its issues. He said we will see some residual impact. Chicago problems can become Jo Daviess problems too. Katie Wienen spoke again of the 1% Hotel/Motel Service tax. Steve McIntyre asked Sheriff Turner if as we see the immigrants coming this way, if an immigrant is convicted of a felony, is there anything we can do to deport them back to their Country. Turner said they cannot contact I.C.E. for anything. Senator Chesney introduced Kim Scace. She has been in his office just under a year and he's very thankful for the fantastic job Kim does.
8. **Board Member Concerns:** Heitkamp wanted to say that before he got on the Board, most of his involvement with legislation was about social issues. Chairperson Trost said that he was happy to have Senator Chesney attend the meeting.
9. Next regular meeting – Thursday, February 8, 2024.
10. Meeting adjourned at 3:27 p.m. following a motion made by Schultz. Seconded by Zillig and motion carried by voice vote.