

EVERYDAY DEMOCRACY

CITIZEN ADVOCACY CENTER'S SEASONAL NEWSLETTER, FIRST EDITION, 2008

Should Illinois Convene A Constitutional Convention?

In November, citizens will vote on the question of whether or not Illinois should convene a Constitutional Convention, or "Con Con." The Illinois Constitution mandates that the Con Con question appear on the ballot every 20 years. The purpose of the Con Con is to propose revisions or amendments to the current Constitution. If three-fifths of those voting on the Con Con question vote yes, the convention will be held in 2010. Attendees of the Con Con would be two delegates elected from each legislative district. The proposed revisions or amendments drafted by delegates would appear on a statewide ballot for voter approval.

The last Illinois Con Con was held in 1970 and resulted in an amended 1870 Illinois Constitution. The last vote to hold a Con Con occurred in 1988 and was defeated by more than 1.8 million votes.

Proponents of the Con Con see it as a tool to reform policies that the General Assembly has failed to address. While all issues of public concern are considered 'on the table' at a Con Con, advocates, such as Lieutenant Governor Pat Quinn, view Con Con as a mechanism to obtain increased citizen rights. Recall of officeholders, reformation of property tax laws, mandating the election of Illinois Commerce Commissioners and imposing stronger ethics laws are few examples of reform measures that could be addressed.

Opponents of Con Con state that while there are certainly problems to be addressed in Illinois government, the state Constitution is a sound document by which reform can be achieved. Issues of public concern can be resolved through legislation or the Constitutional amendment process. Additionally, significant preparation and research went into the convening of the 1970 Con Con. This General Assembly has not engaged in any of the procedural necessities to make the Con Con a success and is quickly running out of time to do so. Moreover, because it is the General Assembly which sets the Con Con procedural rules, and because this General Assembly is extremely decisive, there is significant skepticism as to the likelihood of holding a non-partisan convention. Lastly, in the era where fundraising for local and state offices is breaking finance records across the board, the Election Code's disclosure requirements would not apply to delegate races.

With a myriad of social and political issues on the table if a Con Con were to happen, proponents and opponents are in aggressive organizing mode. Keep your eyes open for more public debate on whether or not Illinois needs another Con Con!

Are More Tollroads the Answer to Traffic Congestion?

- **The Illinois State Toll Highway Authority Launches Expansion Study**
- **Lake County Route 120 Corridor Planning Council Explores Building A Tollroad**

At the end of 2007, in response to the Illinois State Toll Highway Authority (ISTHA) completing major portions of its \$5.5 billion reconstruction project and implementation of I-PASS, the ISTHA Board approved a resolution to study and prioritize transportation and electronic tolling projects. The list of building projects that have thus far been identified include:

- An extension of Illinois Route 53. Route 53 runs north/south from Lake Cook Road to Thorndale Road. When the extension of Route 53 was originally proposed more than a decade ago, the proposal had two components: A north/south leg from Lake Cook Road to Route 120 and an east/west leg across Lake County to the Tri-State Expressway;
- A Richmond-Waukegan Toll Highway from Illinois Route 120 west to Illinois Route 173;
- The Illiana Expressway;
- The Prairie Parkway;
- Completing the Elgin-O'Hare Expressway; and
- Improvements on the Eisenhower Expressway.

Traffic Congestion continues on next page

The ISTHA is in its internal review phase and has not publicly disclosed any information to date.

The exploration of expanding the tollway system, specifically Route 53, coincides with the Route 120 Corridor Planning Council ("Council") creating a task force to evaluate how to improve traffic congestion in Lake County. The goals of the Council include completing a feasibility study and attempting to build a consensus among stakeholders for building a Route 120 corridor.

The task force is comprised of ten local mayors and five members of the Lake County Board. At a March 12th planning meeting, several concept plans were presented to the public for feedback. How the Route 120 Corridor develops will have a substantial impact on the surrounding communities and has galvanized environmental advocates. While there is clearly a need to alleviate traffic congestion in the communities surrounding Route 120, improving traffic congestion in an environmentally sound manner is an issue of public concern due to the significant wetlands and forest reserves within the targeted area.

The options presented at the March 12th meeting ranged from building a tollway from Highway 12 to the Tri-State to a boulevard. To ensure that the most environmentally sensitive options have been sufficiently explored, a group of concerned citizens from Lake County hired an independent consultant to review substantive documents and make recommendations to the Council. The plan was formally presented to the Council months before the March 12 meeting, and a second time at the March 12 meeting due to the lack of formal response.

Members of the public can keep informed of Council developments by visiting www.120now.com

2008 Legislative Initiatives

Senate Bill 2733 is a Tax Increment Financing Bill sponsored by Senator Dan Cronin impacting Historic Landmarks. The bill amends the term "redevelopment project cost" to specifically state that redevelopment costs in a project area, in which a historic resource is to be demolished, removed, or substantially modified, are not included.

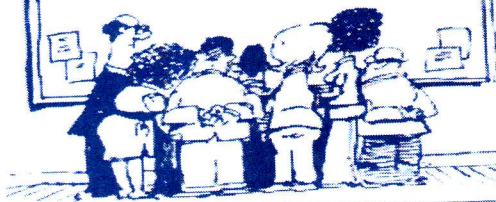
Senate Bill 2820, Senate Sponsors Michael Bond, Terry Link, Susan Garret, Matt Murphy and Larry Bomke. In response to research conducted by the Citizen's Action Project, a citizen group in Grayslake that conducted an in-depth study of the property tax assessment process upon discovering inequities in the system, Senate Bill 2820 was introduced to increase transparency in the assessment process. The bill requires the chief county assessment officer in counties with less than 3,000,000 people to provide taxpayers with a Homestead Assessment Disclosure Document. The Homestead Assessment Disclosure Document includes:

- The previous year's assessed value after board of review equalization;
- Current assessed value and the date of that valuation;
- The percentage change between the previous and current assessed valuation;
- The full fair market value of the property;
- A disclosure statement advising the taxpayer that assessments are based on 33 1/3% of fair market value;
- Contact information for the assessor;
- Where practicable, notice of what resulted in the increased valuation;
- A statement advising the taxpayer of how to object if the taxpayer believes the full fair market value of the property is incorrect or believes the assessment is not uniform with other comparable properties in the same neighborhood;
- A statement advising the taxpayer of the deadline for filing an appeal with the board of review;
- A brief explanation of the relationship between the assessment and the tax bill and an explanation that the assessment stated for the preceding year is the assessment after equalization by the board of review in the preceding year; and
- Notice of possible eligibility for the various homestead exemptions.

A representative from the Citizen's Action Project will be at the Center on June 10, 7 p.m. Join us!

Senate Joint Resolution 70 amending the Illinois Constitution to provide for an election recall provision. Recall is a tool that allows citizens the capacity to remove a public official before the end of a term of office. Joint Resolution 70 would apply the recall provision to executive officers, members of the General Assembly, and supreme, appellate, and circuit court judges based on the submission of a petition. Additionally, the General Assembly would be allowed to pass legislation providing for the recall of local government public officials. *Joint Resolution passed in the House and failed to pass in the Senate.*

Term Limits & Ballot Access



The Center receives hundreds of calls a year from the public seeking answers to questions of public concern. Below is a recent question asked several times:

Can a municipality adopt a local whistleblower law that directly contradicts the state whistleblower law?

No, a municipality may not adopt a local whistleblower law that directly contradicts the state whistleblower law where the local law is “preempted” by the state law.

The Illinois Whistleblower Reward and Protection Act, 740 ILCS 174/1 et seq. (2008), provides that its provisions specifically preempt the authority of a municipality, including a home rule municipality, from adopting any provisions that are inconsistent with the Act. Specifically, the state law establishes that “[I]t is the public policy of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution that the provisions of this Act are the exclusive exercise by the State of powers and functions which might otherwise be exercised by other home rule units. Such powers and functions may not be exercised concurrently, either directly or indirectly by any unit of local government, including any home rule unit except as otherwise authorized by this Act.” 740 ILCS 174./40. Therefore, even a home rule municipality may not adopt any ordinances, resolutions or official acts that contradict the provisions of the Illinois Whistleblower Reward and Protection Act.

Must a municipality make available for public inspection minutes from Board Finance Committee meetings?

Unless a local ordinance provides a more specific timeframe, the state Open Meetings Act requires that a municipality must make available for public inspection minutes from all public meetings within seven days of approval of the minutes by the public body.

The Open Meetings Act (OMA), the law that mandates that the peoples’ business must be conducted openly, establishes the requirement that public bodies must make all minutes from open meetings available for public inspection. Specifically, the OMA states, “[T]he minutes of meetings open to the public shall be available for public inspection within 7 days of the approval of such minutes by the public body.” 5 ILCS 120/2.06. While the OMA does not specify the precise amount of time a public body may take to inspect the minutes, a reasonable interpretation of the law and good government practices dictate that minutes be inspected within a reasonable amount of time. Notably, a local ordinance can impose a stricter time limit for making public bodies’ meeting minutes available. For instance, Harwood Heights’ Ordinance 2.16.080 imposes a ten-day deadline for making public meeting minutes available for public inspection. Therefore, it is important to check local laws for specific timeframes in matters involving public meeting minutes. When a concerned citizen from Harwood Heights contacted the Center because finance committee minute meeting minutes were not being drafted, and therefore not disclosed, the Center was able to effectively address the issue by reminding the Harwood Heights Finance Committee Chair that disclosure was required under both the OMA and under Harwood Heights local ordinances.

The Citizen Advocacy Center has moved!

The Center is now located at 182 N. York Road in Elmhurst. We are located across the street from Elmhurst City Hall and two blocks north of the Metra train station.

Thank you to all those who helped make the move a success!
A special thanks to:

- Steve De La Rosa
- Paul DeMichele
- Don Dionesotes
- Milt and Rosalie Honel
- Citizens for Better Government in Island Lake
- Jerry Miller
- Francis Workman
- Paula and Dave Pezza

Thank you also to Carson Hicks for assisting the Center with our information technology needs.

Return Service Requested

Everyday Democracy is a publication of the *Citizen Advocacy Center*, a non-profit, nonpartisan, 501(c)(3) corporation. Submissions from citizen advocates are encouraged. The *Citizen Advocacy Center* is an educational and charitable organization dedicated to building democracy for the 21st century by strengthening the public's capacities, resources, and institutions for self-governance.

If you are interested in more information, becoming a volunteer, or making a tax-deductible contribution, please feel free to contact or visit us.

NEW LOCATION OPEN HOUSE

THE CITIZEN
ADVOCACY
CENTER'S STAFF
AND BOARD OF

DIRECTORS INVITE YOU TO
CELEBRATE OUR NEW HOME!

JOIN US IN OUR CELEBRATION AND IN
MEETING OUR CREW OF LAW,
COLLEGE, AND HIGH SCHOOL
SUMMER INTERNS WHO WILL WORK
WITH COMMUNITY LAWYERS ON
PUBLIC POLICY PROJECTS.

JUNE 5, 2008 ***** 6-9 PM

**182 NORTH YORK ROAD,
ELMHURST**

(TWO BLOCKS NORTH OF THE METRA
TRACKS)

HORS D'OEUVRES & BEVERAGES PROVIDED

Calendar of Events

May

- May 21, May 28 Community Open Doors Night *
- May 29 Sunshine Journalism Workshop, Chicago Public Library (Division/Clark), 12 p.m.-1:30 p.m.

June

- June 4, June 11, June 18, June 23 Community Open Doors Night
- June 5 New Location Open House, 6 p.m.-9 p.m.
- June 10 Evening Program: Transparency and Fairness in the Property Tax Assessment Process, 7 p.m.-9 p.m.
- June 13 Sunshine Journalism Workshop, Chicago Public Library (Lincoln Park), 12 p.m.-1:30 p.m.
- June 23 Brown Bag Lunch: The Federal Election Commission Debacle, 12 p.m.-1p.m.

July

- July 2; July 9; July 16; July 23 Community Open Doors Night
- July 8 Evening Program: Voter Identification vs. Voter Disenfranchisement, 7 p.m.-9 p.m.
- July 15 Brown Bag Lunch, 12 p.m.-1 p.m.
- July 16 Sunshine Journalism Workshop, CAC, Time TBA
- July 29 Sunshine Journalism Workshop, CAC, Time TBA

* **Community Open Doors** is a weekly program from 6 p.m. -8 p.m. where doors will be open to invite the general community to learn about the Cen