

# Beginnings of Rock Island County Board Downsizing-

## PETITION FOR ROCK ISLAND COUNTY ADVISORY QUESTION ON COMPOSITION OF THE COUNTY BOARD

We, the undersigned, registered and duly qualified voters of Rock Island County, State of Illinois, do hereby PETITION the governing body of the County of Rock Island, State of Illinois, pursuant to Article VII Section 3 of the Illinois Constitution and 55 ILCS 5/2-3002(b) of the Illinois Compiled Statutes, that there be submitted to the voters of Rock Island County a referendum at the General Election to be held on November 6, 2012, which shall be substantially in the form:

SHALL ROCK ISLAND COUNTY ELECT 15 COUNTY BOARD  
MEMBERS FROM 3 DISTRICTS WITH 5 MEMEBERS EACH

YES  
 NO

the grassroots petition effort that put the downsizing question on the 2012 ballot.

Intiallyly debated in coffeeshops and the like, it was the grassroots petition effort that put the **downsizing question** on the 2012 ballot. The question was an advisroy referendum which is used by the voters to let their county board know their will on an issue.

Voters overwhelmingly voted 72% to downsize the county board with multi-member districts.

Before the vote was taken, the county board (of that time) placed a question on the March 2013 ballot asking....

Shall the County of Rock Island maintain  
Single member districts?

Yes  
 No

Adopted this 16<sup>th</sup> day of October, 2012.

This non-binding referendum also passed and indicated that single-member districts are wanted by the people.

### GOVERNMENTAL AFFAIRS COMMITTEE -- BOARD MEMBER JACOBS --REPORTING

31. Board Member Jacobs moved to waive the reading and approve the resolution for a proposed referendum question for the April 9, 2013 Consolidated General Election that asks "Shall the County of Rock Island maintain single member districts?" This is to provide additional direction to the Board as well as to help alleviate misinformation and confusion on the existing question on the ballot regarding possible reduction in board members. Board Member Banaszek seconded.

Rock Island County Board  
Resolution  
Re: Placement of the Question of Single Member Districts  
Before the Voters of Rock Island County

WHEREAS, Rock Island County is a non-home rule County; and

WHEREAS, every ten years during reapportionment, Counties have the opportunity to determine if County Board Members shall be elected to single member or multi-member districts; and

WHEREAS, Rock Island County has historically chosen single member districts to ensure that all citizens have representation.

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County of Rock Island, Illinois that the following public question be submitted to the voters of the County of Rock Island at the consolidated general election to be held on April 9, 2013, or the next available election should the ballot be full:

Shall the County of Rock Island maintain  
Single member districts?  Yes  
 No

Adopted this 16<sup>th</sup> day of October, 2012.

Board Member Johnston was recognized.

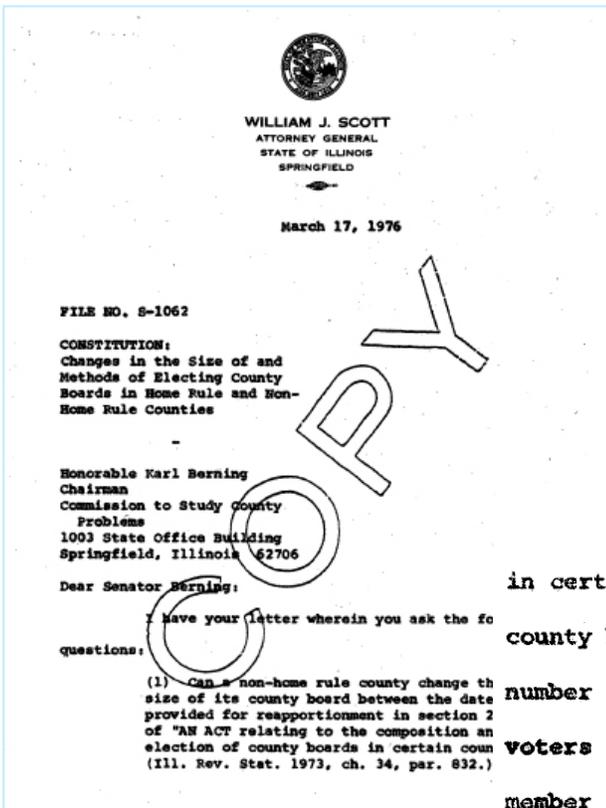
Mr. Johnston stated, "The citizens have a resolution on the November ballot and I think we should see how this comes out. I personally, would like to see a smaller Board, but shouldn't we wait to see what happens with this one first? This one isn't until April. In my view, I think we should wait for the proper time to put this on."

ROCK ISLAND COUNTY BOARD  
10-16-2012 PAGE 22

# 72% voted to reduce board in non-binding referendum- now what?

My first action was to request the downsizing item to be on the governmental affairs committee agenda and at that meeting was given Attorney General opinion from 1974 and 1976 and was told that downsizing that could not be done until the next census. (see below).

We have opinions from our local states attorney as well as the attorney general that state nothing can be done regarding downsizing outside of the census/reapportionment. Those items were provided to you in the box of information at the orientation. I don't know that our current board can take up any final actions since the reapportionment is some 9+ years away.



My basis for a non-decennial reapportionment was that an exception existed that would allow downsizing prior to 2022.

in certain instances a change in the method of electing county board members would also require a change in the number of county board members. If, for example, the voters in a county with 29 board members elected from single member districts decided to change to multi-member districts, the number of board members would have to be reduced to conform to the one man one vote requirements of section 2. In such a situation, conformity to the Constitution would seem to require a departure from the normal decennial rule set out in section 2. It is my opinion, however, that the decennial plan provided in section 2 continues to remain binding in all but such exceptional circumstances.

# Answer to the request for an updated opinion from the Attorney General.



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

August 7, 2014

I - 14-010

COUNTIES:  
Increasing or Decreasing the  
Number of County Board Members

The Honorable John L. McGehee  
State's Attorney, Rock Island County  
210 - 15<sup>th</sup> Street, 4<sup>th</sup> Floor  
Rock Island, Illinois 61201

The Honorable John L. McGehee - 7

every 10 years, in conjunction with the Federal decennial census, and that determinations regarding the size of county boards may only be made every 10 years as well. If the General Assembly had intended to authorize county boards to increase or decrease the number of county board seats more frequently than every 10 years, it had the opportunity to do so explicitly when it enacted subsection 2-3002(b). The General Assembly did not do so.

### CONCLUSION

For the reasons stated above, pursuant to subsection 2-3002(a) of the Counties Code, the Rock Island County Board may only redraw county districts and increase or decrease the number of county board members every 10 years, following the release of updated Federal decennial census data. An exception to the decennial reapportionment exists only when, pursuant to article VII, section 3(b), of the Illinois Constitution of 1970, inhabitants of a county, by county-wide binding referendum, exercise their right to change a county's method of electing board members. If a change in a county's method of electing board members pursuant to a binding constitutional referendum necessitates an increase or decrease in the number of county board seats, the change may be implemented in conjunction with the change in the method of election.

Further, pursuant to subsection 2-3002(b) of the Counties Code, voters may advise the Rock Island County Board by non-binding referendum concerning the question of the number of members of the county board to be elected. This advisory referendum merely allows the county's residents to communicate their preferences to the county board. An advisory referendum does not authorize the Rock Island County Board to take any action in contravention of existing law, as set out in subsection 2-3002(a).

This is not an official opinion of the Attorney General. If we may be of further assistance, please advise.

Very truly yours,

LYNNE E. PATTON  
Senior Assistant Attorney General  
Chief, Public Access and Opinions Division

LEP:KAS:cj

Based on Attorney General letter, I wrote this resolution which passed and is under review for in committee.

Rock Island County Board  
RESOLUTION

Re: Placement of the Question to Change the Method of Election to  
Multi-Member Districts before the Voters of Rock Island County

WHEREAS, pursuant to subsection 2-3002(a) of the Counties Code, the Rock Island County Board may only redraw county districts and increase or decrease the number of County Board Members every ten (10) years, following the release of updated Federal decennial census data; and

WHEREAS, it is the intent of the Rock Island County Board to reduce the number of County Board Members prior to the next mandatory decennial reapportionment in 2022; and

WHEREAS, an exception to the decennial reapportionment exists only when, pursuant to Article VII, Section 3(b) of the Illinois Constitution of 1970, inhabitants of a County, by County-Wide binding referendum, exercise their right to change a County's method of electing board members; and

WHEREAS, if a change in a County's method of electing Board Members pursuant to a binding constitutional referendum necessitates an increase or decrease of County Board seats, the change may be implemented in conjunction with the change in the method of election.

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County of Rock Island, Illinois, that the following binding resolution be submitted to the Rock Island County Board Governmental Affairs Committee for review and determination of the next available election where it can be submitted to the voters of the County of Rock Island:

"Shall Rock Island County change the method of electing County Board Members to multi-member districts?"

Adopted by the County Board of Rock Island County  
This 26<sup>th</sup> day of August, 2014

\_\_\_\_\_  
Phillip B. Banaszek, County Board Chairman

ATTEST:

\_\_\_\_\_  
Karen Kinney, County Clerk

Board Member Mielke was recognized.

Mr. Mielke stated, "Actually, I am not disagreeing with you. I am saying if this is the only path we have to downsizing the county board, I am going to do that. Now, what I am doing is putting it to Governmental Affairs to draft something to move forward. The earliest it would be on the ballot is 2016. I don't advocate for doing this, but it is the only path to downsizing. The people can vote it down or not. Maybe this isn't the right answer. Maybe 2022 is the best time to downsize this Board. But I believe that we really need to get going if we are really serious about downsizing the Board."

Mr. Langdon stated, "If they get elected in 2016 for a 4 year term...and they can't finish their term, then they are gonna get screwed." (laughter)

**ROCK ISLAND COUNTY BOARD  
08-19-2014 PAGE 50**

23a. Chairman Banaszek stated, "Now, back to Mr. Mielke's motion and Mr. Johnston's second."

Mr. Mielke read back the motion, "I made a motion to have Governmental Affairs draft a binding referendum to change the method of election of the County Board to multi-member districts to be placed on the next eligible ballot."

Board Member Meersman stated, "Is this a violation of the Open Meeting Act?"

Board Member Johnston stated, "It is on the Agenda. Update the Attorney General's Opinion regarding the downsizing of the County Board. Isn't that what we are talking about?"

Chairman Banaszek referred the question to State's Attorney, Mr. McGehee.

Mr. McGehee stated, "I think if you have a resolution where it is just going back to committee, I don't think it violates the Open Meetings Act."

A voice vote was taken.

Motion carried.

**ROCK ISLAND COUNTY BOARD  
08-19-2014 PAGE 54**

# Potential redistricting costs presented from the county clerk Karen Kinney's office to Governmental Affairs Committee.

## REPORT TO COMMITTEE

	<u>TOTAL</u>
POTENTIAL COST OF PRODUCING A NEW MAP LEGAL DESCRIPTIONS AND GIS MAPPING	9,000
GRAPHIC WORK NEWLY DESIGNED VOTER CARDS	500
VOTER CARD PRINTING 100,000 X .07	7,000
PRINTING OF VOTER CARDS IN HOUSE NAME, ADDRESS, ENTITLEMENTS, POLLING PLACE 93,000 X .05	4,650
POSTAGE TO MAIL 93,000 VOTER CARDS 93,000 X .128	11,904
10% RETURNED 9,300 X .49	4,557
PRINTING OF NOTICES (9,300)	465
SENDING FORWARDABLE NOTICE 9,300 X .246	2,288
90% NOTICES RETURNED 8,370 X .49	4,101
MISC SUPPLIES PAPER, ENVELOPES, LABELS, ETC.	1,000
	<u>45,465</u>

## POTENTIAL EMPLOYEE COSTS

	<u>TOTAL</u>
PROCESS ENTITLEMENT AND VOTER CODE CHANGES 65,000 + ADDRESSES	7,500
PRODUCE 93,000 VOTER CARDS	1,680
PULL 9,300 VOTER RECORDS FOR NOTICES	1,680
PRODUCE 9,300 NOTICES	336
ATTACH NOTICE COPY AND FILE SUSPENDED RECORDS	1,008
	<u>12,204</u>
	GRAND
	<u>TOTAL</u>
REPORT TO COMMITTEE	45,465
POTENTIAL EMPLOYEE COSTS	12,204
	<u>57,669</u>