



ILLINOIS STATE  
BAR ASSOCIATION

# STANDING COMMITTEE ON GOVERNMENT LAWYERS

*The newsletter of the ISBA's Standing Committee on Government Lawyers*

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## How green is your government?

By Mary L. Milano\*

It arguably began in 2000, with the establishment by then-Governor Ryan of the Green Illinois Government Coordinating Council. Since that time, with increasingly bold steps, Illinois has moved steadily and progressively toward using not only the pulpit of government to advance environmental awareness and environmentally friendly policies, but to put the State government's considerably hefty apparatus of agencies, edifices and employees squarely into and at the head of the green column. In both of his terms of office, Governor Blagojevich has used the power of the Executive Order, of administrative policy and cooperation with the leadership of the legislature to get bills moved and enacted that change the purchasing and operating habits of State agencies. This change not only has an impact on the utilization and conservation of resources across the State, but

also serves as a model for units of local government and for private industry in how to move large and small organizations into a different outlook on what is possible and eminently achievable in even the short run on the environmental side.

Several initiatives provide the foundation and framework for Illinois' State agencies and operations in this area. In 2004, Governor Blagojevich issued the first of his Executive Orders dealing with environmental issues. Order (2004-7) instituted the "Use of E-85 and Biodiesel Blend Fuels in Flexible Fuel Vehicles and Diesel Powered Vehicles in the State of Illinois Fleet." This Order took a several-pronged approach to the addition of biofuelled vehicles to the fleet as a means of potentially reducing greenhouse gas emissions. It first mandated the Department of Central Management Services (CMS) to begin a program to allow for the acquisition of infrastructure to increase the availability of B2 and E-85 for the State's flexible fuel fleet. Second, it directed the Department of Commerce and Economic Opportunity to pursue ways to make E-85 and biodiesel facilities more available at retail outlets throughout the State. Third, it allowed the establishment of purchasing agency priorities for the procurement of purchased and rental flexible fuel vehicles. These policies began to have an immediate impact and continue, with the strength of legislation (see below) to change the contours of the State's considerable vehicle fleets.

In 2005, Governor Blagojevich issued

Order (2005-2) which recited the aspiration that "the State should be a model for the responsible stewardship of our environment" and expanded the mandate of the Green Illinois Government Coordinating Council, placing it under the leadership of the Lieutenant Governor's Office. This office, occupied at present by the very green Patrick Quinn, already held the chairs of the Special Task Force on the Condition and Future of the Illinois Energy Infrastructure, the Illinois River Coordinating Council and the Illinois Delegation of the Bi-National Great Lakes Commission.

In 2006, the Governor took further steps to move State government (and the State itself) in more environmentally friendly directions. He first issued an Order on Climate Change and Greenhouse Gas Reduction (2006-11), creating the Illinois Climate Change Advisory Group, and mandating recommendations be developed on the "full range of policies and strategies regarding climate change \*\*\* to reduce statewide greenhouse gas emissions." The Order enunciated the intention of planning for joining the Chicago Climate Exchange (CCX) with the shared objective of reducing emissions from all governmental activities by 6% by 2010. That intention was subsequently realized and Illinois and New Mexico are the current state government members of the CCX. The Illinois Environmental Protection Agency (IEPA) was charged, *inter alia*, with documenting State government greenhouse gas production and tracking progress

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toward meeting the CCX reduction objectives.

Not long after his Greenhouse Gas Reduction order, the Governor issued another Executive Order (2006-12) which required "Proper End-of-Life Management of Computers and Other Electronic Equipment." This Order charged CMS with developing and implementing procedures to ensure that virtually all electronic and information technology equipment be "redistributed, reutilized, recycled or disposed of in an environmentally responsible manner." Illinois thus became the first state in the Midwest to mandate responsible end-of-life disposition of governmental "E-Scrap."

Within the last year and a half, the General Assembly has enacted three significant pieces of legislation that push the envelope of change further. In January 2007, following the contours of Executive Order (2004-7), the General Assembly amended the Illinois Procurement Code (see Public Act 94-1079, effective June 1, 2007, to be codified at 30 ILCS 500/25-75) and for the first time mandated the purchase of flexible fuel and/or hybrid vehicles by all State agencies.

Also in 2007, the Illinois General Assembly enacted the Green Governments Illinois Act (see Public Act 95-0657, effective October 10, 2007) which establishes the Green Governments Coordinating Council (the Council), both to address operating and planning issues of State agencies, and to take the additional step of resourcing units of local government and educational institutions. Like the Council established by Executive Order, this entity's chair is delegated to the Office of the Lieutenant Governor. The Green Governments Illinois Act (Green Act) makes what are no doubt expected "good government" pronouncements with respect to policy issues, articulating the State's "commitment" in this regard. But it goes beyond the level of soft law and requires very specific actions by State government. These include mandating establishment of sustainability goals with 3, 5 and 10 year objectives for energy efficiency and environmental performance of State buildings. Minimum requirements are included, ranging from fuel use to paper consumption. The Council is required to communicate sustainability goals, establish an electronic system to track and report progress, monitor improvement activities and

propose new goals. It also establishes an awards program to operate at both State and local levels and must create both specific guidance for State agencies and training programs. The Council will integrate environmental policy through input into the State budget process. In addition to the work of the Council itself, the Green Act mandates that every State agency develop, adopt and submit an environmental sustainability plan, and establish and maintain an internal environmental sustainability committee. Progress reports are mandated on an on-going basis.

Effective for less than a full year, the Green Act has already produced results across State government. Among the Green Act's mandates are maintenance of a Website, that the reader can easily navigate to the Green Solutions site, found at:

<[http://www.standingupforillinois.org/green/gv\\_govdb.php](http://www.standingupforillinois.org/green/gv_govdb.php)>.

This site contains not only news about the responses that agencies and local governments and educational institutions are devising and implementing, but includes representative sustainability plans from agencies which are diverse in size and function, as well as purchasing and conservation advice.

The third significant legislative initiative in the last year to address green concerns is the Agency Energy Efficiency Act (AEEA) signed into law by the Governor and effective June 1, 2008 (see Public Act 95-0559). The AEEA requires that all State agencies act to reduce their use of electricity, natural gas, water, and other energy resources in State facilities by 10% over the next 10 years. Baseline energy usage must be documented and quarterly reports filed with CMS (and in turn by CMS with the Governor) tracking and documenting progress. Every State agency must establish an information tracking system for energy and water usage, establish an internal committee to implement and enforce efficiency measures and appoint an internal chair to report strategic and statistical activity to CMS.

There is no longer any question that State government in Illinois is going strongly toward green. The summary above calls attention to the movement that has come from the top -- this administration and this General Assembly pay attention to and are bound to address environmental issues as they impact and are impacted by State government. But

another force to reckon with is the one that comes from the other end of the spectrum, which is the commitment of State employees to work from the grass-roots. What has effectively happened in the last several years of this administration is a convergence of policy and "popular" initiative in which green ideas have a framework to move ahead not only on a government wide plan but in virtually every office, workplace and workgroup that make up the whole. Empowered by Statewide leadership, each agency's "green team" provides agency level planning, information exchange, staff encouragement and the means for an almost painless transition to sustainability mode. The "green teams" themselves, however, get impetus from colleagues much more generally.

In our own agency, for example, the agency sustainability plan was generated largely from the input of each operating division's discussions. In turn, each step taken in implementation of the plan continues to yield another two or three good ideas from staff to reduce consumption and waste. Further, staff are pushing initiatives on their own, disseminating ideas as they occur not only to the green team members but through communication lines to other front line staff across divisions in local offices, and through divisional lines across geographic regions. These ideas are beginning to include those which go beyond what happens in the workplace to the now authorized sharing of eco-tips for the household, the family and the local community. Assuming similar patterns at other agencies, the greening of government is becoming itself an organic process. This, I think, is what was ultimately intended. The State's apparatus carries and reduces its own environmental weight. It then stimulates similar activity in the private and the local sectors. This happens formally through policies, resources and stimuli it makes available. And it also happens informally, through the efforts and penetration at all levels by a very large force of publicly minded individual employees. In the end, green government turns out to be good government, and vice versa. And just how green and how good depends on us.

\* Dr. Mary L. Milano is Executive Director of the Illinois Guardianship and Advocacy Commission and a member of the Standing Committee on Government Lawyers of the ISBA.

# Public sector discipline: Former Assistant State's Attorney disbarred on consent

By Rosalyn Kaplan

In *re* *Baba*, Commission No. 07 SH 74, S. Ct. No. M.R. 22324 (May 19, 2008). James F. Baba, who was an Assistant State's Attorney in Coles County at the time of his misconduct, took possession of three bags of cannabis that were being held in the Coles County Sheriff's Department evidence locker. He told the evidence custodian, who was a deputy sheriff, that he needed the cannabis for court purposes, and he signed a receipt stating that he was receiving the items "for court." The items were not, however, needed for court purposes, because no case was pending with respect to the cannabis; the cases involving that evidence had already been completed.

Mr. Baba signed a motion to the Supreme Court asking that his name

be stricken from the role of attorneys admitted to practice in Illinois. The Administrator then filed a statement of the charges of misconduct that were pending against Mr. Baba, who then executed an affidavit acknowledging that the evidence described in the statement of charges would clearly and convincingly establish the facts and conclusions of misconduct set forth in the Administrator's statement. The Supreme Court allowed the motion and ordered Mr. Baba's disbarment on consent, effectively immediately, on May 19, 2008.

The full text of the *Baba* statement of charges, as well as the Supreme Court's final order, may be accessed through the Attorney Registration and Disciplinary Commission's Web site at <[www.iardc.org](http://www.iardc.org)>, by selecting "Rules and Decisions."

## In-Sites

Although we covered this topic a few years ago, Web sites have improved, so we revisit the topic of hospitals and nursing home ratings.

The Department of Health and Human Services has a site where you can compare hospitals, <<http://www.hospitalcompare.hhs.gov>>. You can search for a hospital by a specific condition or procedure, or you can do a general search.

If you search by specific condition or procedure, there are limited choices. Once you enter one of the conditions or procedures provided, you can compare up to three hospitals at a time.

If you conduct a general search, you can search by city or zip code and within any number of miles. Hospital information is provided by "hospital process of care measures," "hospital outcome of care measures," and "survey of patient experience." You then can view all sorts of statistics and information regarding the

hospitals. You can view the information in tables or graphs.

The <[www.hhs.gov](http://www.hhs.gov)> main site is also full of information. You can get information on conditions and diseases, aging, disasters and emergency. The news bulletins are timely and informative. They range from information about the shingles vaccine to the shut down of a seafood company. The links are many and full of great information. On the Medicare site, you can look up nursing homes and review their last health inspection or their nursing staff.

While the World Wide Web has many resources, this site is a wonderful place to start your health-related inquiry.

The site also provides a hospital checklist, with questions for your health care provider and homework for you to answer about the hospital you may enter.

The site also maintains information for Medicare patients on their rights.

## Standing Committee on Government Lawyers

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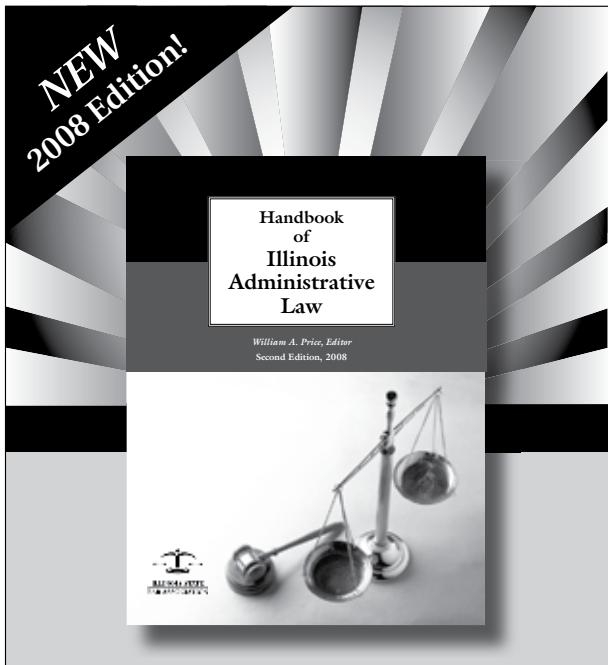
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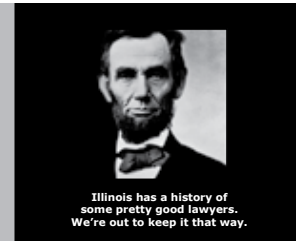
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# Attorney General issues opinions

By Lynn Patton

Under section 4 of the Attorney General Act (15 ILCS 205/4 (West 2007 Supp.)), the Attorney General is authorized, upon request, to furnish written legal opinions to State officers and State's Attorneys on matters relating to their official duties. The following is a summary of informal opinion Nos. I-08-001 through I-08-022 that may be of interest to the government bar.

Copies of an opinion may be requested by contacting the Opinions Bureau in the Attorney General's Springfield office at (217) 782-9070. Copies of official opinions may also be found on the internet at <<http://www.illinoisattorneygeneral.gov/opinions/index.html>>.

## **Informal Opinion No. I-08-001 Issued January 24, 2008**

### **Conflict of Interest – Township Road Commissioner Employed by a Trucking Company Providing Services to the Township Road District**

An employee is ordinarily deemed to have at least an indirect pecuniary interest in the contracts of his or her employer. Thus, if a township road commissioner contracts with a private trucking company that employs him or her, the township official has a prohibited conflict of interest under section 6-411.11 of the Illinois Highway Code. 60 ILCS 1/85-45 (West 2006); 605 ILCS 5/6-201.6, 6-201.7, 6-411.1 (West 2006).

## **Informal Opinion No. I-08-002 Issued February 28, 2008**

### **Solicitation of Donations for Sheriff's K-9 Program; Payment of Health Plan Fee for County Employees by County Vendor**

The Woodford County Ethics Ordinance's prohibition against the solicitation and acceptance of gifts from prohibited sources does not apply to items which do not provide a tangible, personal benefit to the individual who solicits or receives the item. Thus, neither the solicitation of donations for a service dog to be used to further the law enforcement objectives of the sheriff's office, nor the making of such donations by individuals who do or seek to do busi-

ness with the county, would be prohibited by the county's ethics ordinance. The payment of county employees' health savings account processing fees by a county insurance vendor constituted a gift from a prohibited source to the employees who benefitted from these payments, for purposes of the county's ethics ordinance. Because the benefit to each employee was only \$25, however, the gifts fell within the State Officials and Employees Ethics Act's and the ordinance's exception for gifts valued at less than \$100 annually. 5 ILCS 430/1-5 (West 2006); 5 ILCS 430/10-10 (West 2006); 5 ILCS 430/70-5 (West 2006).

## **Informal Opinion No. I-08-003 Issued February 29, 2008**

### **Authority to Alter Speed Limit and Post Speed Limit Signs on County Highways**

An engineering study is not a statutory prerequisite to a county board's exercise of its authority to establish a reasonable and safe speed limit for motor vehicles on county highways pursuant to section 11-604 of the Vehicle Code. All traffic control devices, including speed limit signs, however, must be placed in conformance with the Illinois Manual on Uniform Traffic Control Devices, which must substantially comply with the national Manual on Uniform Traffic Control Devices (national MUTCD). The national MUTCD requires an engineering study before posting a speed limit sign. Therefore, an engineering study is required before signs may be posted to implement the new speed limit. A county is not required to establish a speed limit based solely on the speed of free-flowing traffic measured by such study, but may consider other factors, including reported crash information. 625 ILCS 5/11-304, 11-604 (West 2006).

## **Informal Opinion No. I-08-005 Issued March 19, 2008**

### **Allocation and Distribution of Drug Fine Proceeds to a Multi-Jurisdictional Drug Task Force**

Neither subsection 10.2(b)(3) of the Cannabis Control Act nor subsection 413(b) of the Illinois Controlled

Substances Act expressly authorizes the court to allocate drug fine proceeds to a multi-jurisdictional drug task force. Further, neither a multi-jurisdictional drug task force, nor its policy board, is a "law enforcement agency" of a unit of local government. Consequently, subsection 10.2(b) of the Cannabis Control Act and subsection 413(b) of the Illinois Controlled Substances Act do not authorize the allocation of 37½ percent of the fine proceeds directly to a multi-jurisdictional drug task force. Such proceeds should be allocated "to or among the law enforcement agency or agencies of the unit or units of local government which conducted the seizure[.]" 720 ILCS 550/10.2(b)(3) (West 2006); 720 ILCS 570/413(b)(3) (West 2006).

## **Informal opinion No. I-08-006 Issued March 20, 2008**

### **Extraterritorial Jurisdiction Over Subdivision Absent Comprehensive Plan**

A municipality may not exercise extraterritorial jurisdiction to require that a subdivision of land located within one and one-half miles of its corporate limits comply with the municipality's subdivision ordinance absent the formal adoption of a comprehensive plan and ordinances implementing the plan. 65 ILCS 5/11-12-8 (West 2006); 65 ILCS 5/11-12-12 (West 2006); 55 ILCS 5/3-5029 (West 2006).

## **Informal opinion No. I-08-007 Issued March 24, 2008**

### **Relocation of a "Retail Tobacco Store" under the Smoke Free Illinois Act**

If an existing business that qualifies for the retail tobacco store exemption under section 35 of the Smoke Free Illinois Act relocates to another location subsequent to January 1, 2008, the new location will be subject to the same limitations as a retail tobacco store that begins operations after that date. Public Act 95-017, §35, effective January 1, 2008, to be codified at 410 ILCS 82/35.

## **Informal opinion No. I-08-008 Issued March 25, 2008**

### **Compatibility of Offices—County Board**

**Member and Assistant State's Attorney in Neighboring County**

Section 1 of the Public Officer Prohibited Activities Act precludes a member of the county board, during his or her term of office, from simultaneously holding the office of Assistant State's Attorney. Consequently, if a county board member, during his or her term of office, is appointed to the office of Assistant State's Attorney in a neighboring county, that appointment is void under section 1 of the Public Officer Prohibited Activities Act. 50 ILCS 105/1 (West 2006).

**Informal opinion No. I-08-009  
Issued March 27, 2008**

**Authority of University Civil Service Merit Board and Individual Employer to Order Disciplinary Suspensions**

The University Civil Service Merit Board is empowered, in a discharge proceeding, to impose disciplinary suspensions or other appropriate remedies in lieu of demotion, removal, or discharge. The Board of Trustees of Southern Illinois University possesses the authority to impose disciplinary suspensions upon its employees. Depending on the findings of the Merit Board and the specifics of any disciplinary order entered, a civil service employer, such as Southern Illinois University at Edwardsville, that has been granted the requisite authority to take disciplinary action, may be precluded from suspending a reinstated employee without pay based on the conduct that served as the basis of discharge proceedings. Whether a suspension may be imposed, requires a case-by-case determination. 110 ILCS 70/36d (West 2006); 110 ILCS 70/36o (West 2006), as amended by Public Act 95-113, effective August 13, 2007.

**Informal opinion No. I-08-010  
Issued March 28, 2008**

**County's Authority to Issue Bonds to Renovate Private, Not-For-Profit Hospital**

A non-home-rule county may not issue bonds or make contributions to renovate a hospital owned and operated by a private, not-for-profit corporation. 55 ILCS 5/5-1012, 6-7001 (West 2006); 55 ILCS 5/5-1005 (West 2006), as amended by Public Act 95-197, effective August 16, 2007.

**Informal opinion No. I-08-011  
Issued April 17, 2008**

**Disclosure of Unusual Incident Reports under the Freedom of Information Act**

Unusual incident reports (UIR) cover a broad range of events and occurrences. Although there are specific statutory provisions and Department of Children and Family Services administrative rules that prohibit the disclosure of certain Department records or portions thereof, none purport to prohibit the disclosure of UIRs as a matter of law. Rather, Federal and Illinois laws contemplate that certain information contained in a UIR may be withheld. Accordingly, the Department must review each specific request for a UIR on a case-by-case basis to determine whether disclosure is prohibited under the applicable Federal or State law and which Freedom of Information Act exemption, if any, applies. 20 ILCS 505/35.1 (West 2006); 325 ILCS 5/11 (West 2006).

**Informal opinion No. I-08-012  
Issued April 17, 2008**

**Sheriff's Authority to Enforce Municipal and Township Ordinance Violations; State's Attorney's Duty to Prosecute Municipal and Township Ordinance Violations**

A sheriff possesses the statutory authority to issue citations for municipal ordinances in certain instances relating to public highways and parking or standing vehicle violations, and also to serve summons for municipal ordinance violations and to arrest, with or without process, individuals who are found to be violating any municipal ordinance. With respect to townships, however, a sheriff does not possess the authority to enforce township ordinance violations unless the county and township enter into an intergovernmental cooperation agreement. A State's Attorney has no statutory duty to prosecute municipal and township ordinance violations. A county may, with the State's Attorney's consent, enter into an intergovernmental cooperation agreement with a municipality or a township to provide for the State's Attorney to prosecute such violations. 55 ILCS 5/3-6036 (West 2006); 60 ILCS 1/100-10.5 (West 2006); 65 ILCS 5/1-2-9, 1-2-11 (West 2006); Ill. Const. 1970, art. VII, §4.

**Informal opinion No. I-08-013  
Issued May 5, 2008**

**Refunding Overpayment of Property Taxes**

Article 23 of the Property Tax Code,

which sets out a general procedure for a judicial tax objection process, is inapplicable to exemptions from taxation, such as the general homestead exemption. The supervisor of assessments may issue a certificate of error under section 14-20 of the Tax Code only prior to the entry of judgment or order of sale with regard to any of the county's delinquent tax properties. The board of review may issue a certificate of error under sections 16-70 and 16-75 prior to its adjournment for the tax year. Upon the issuance of a certificate of error, the county collector may refund an overpayment under section 20-175 of the Tax Code. A taxpayer who failed to timely file an application for a general homestead exemption is not entitled to a refund. 35 ILCS 200/14-20, 16-70, 16-75, 20-175 (West 2006); 35 ILCS 200/15-175 (West 2006), as amended by Public Act 95-644, effective October 12, 2007.

**Informal opinion No. I-08-014  
Issued May 15, 2008**

**Authority of County Recorder to Accept and Record Electronic Documents**

Following the enactment of the Uniform Real Property Electronic Recording Act, Illinois county recorders may accept, process, and record documents submitted in electronic form. The recorders are to follow the standards adopted by the Illinois Electronic Records Commission. 5 ILCS 175/5-115, 5-120, 5-125; 55 ILCS 5/3-5010 (West 2006); Public Act 95-472, effective August 27, 2007, to be codified at 765 ILCS 33/1 et seq.

**Informal opinion No. I-08-015  
Issued May 15, 2008**

**Compatibility of Offices – Deputy Sheriff and Village Police Chief**

Because there is no conflict in duties, the offices of village police chief and deputy sheriff are not incompatible.

**Informal opinion No. I-08-016  
Issued May 22, 2008**

**Non-Attorney Authorized Agents Appearing in Administrative Hearings Before the Illinois Department of Employment Security**

The Illinois Supreme Court has the exclusive authority to license, regulate, and define the practice of law in this State, including the practice of law before administrative agencies such as

the Department of Employment Security. The Department does not possess the authority to authorize non-lawyers to engage in the "practice of law" in administrative hearings conducted by the Department. Whether the particular acts of an agent constitute the "practice of law" is a question of fact. 820 ILCS 405/806 (West 2006).

**Informal opinion No. I-08-017**  
**Issued May 29, 2008**

**Subdivision of Property under the Plat Act**

The Plat Act does not prohibit the division of property into parcels of less than two acres in area. 765 ILCS 205/0.01 et seq. (West 2006).

**Informal opinion No. I-08-018**  
**Issued June 12, 2008**

**Use of Proceeds from the Special County Retailers' Occupation Tax For Public Safety or Transportation**

Public Safety or Transportation Tax (Public Safety Tax) proceeds must be used exclusively for public safety or transportation purposes. Qualifying "public safety" purposes include expenditures related to medical, ambulance, and other emergency services, which would permit the payment of qualifying expenditures related to the operation of a county hospital, non-sectarian public hospital, or county ambulance service from Public Safety Tax proceeds. Although a county board may not donate, contribute, or make a gift of Public Safety Tax proceeds to a private, not-for-profit corporation to fund a hospital, the county and a not-for-profit corporation could enter into an agreement related to the furnishing of hospital and ambulance services. Public Safety Tax proceeds may be used to pay for qualifying medical, ambulance, or other emergency services arising from such contracts. 55 ILCS 5/5-1006.5 (West 2007 Supp.).

**Informal opinion No. I-08-019**  
**Issued June 26, 2008**

**Creation of Emergency Telephone System Board without Passage of Referendum**

Passage of a referendum is not a prerequisite for the establishment of an emergency telephone system. In the absence of a referendum imposing a surcharge, a county board may establish an emergency telephone committee

and delegate to it the ministerial functions associated with operating a county emergency telephone system. A county board may not create an emergency telephone system board and confer on it all of the powers and duties set out in section 15.4 of the Emergency Telephone System Act. 50 ILCS 750/15.4 (West 2007 Supp.).

**Informal opinion No. I-08-020**  
**Issued July 1, 2008**

**Compatibility of Offices--County Board Member and County Housing Authority Commissioner**

Pursuant to section 3 of the Housing Authorities Act, only two "public officers" may serve on a county housing authority board simultaneously. Because county board members are persons holding local governmental offices and because section 2-3008 of the Counties Code authorizes the compensation of county board members on an annual basis, county board members are "public officers" as that term is defined in the Act. For the same reasons, city aldermen are "public officers" within the Act's terms. Consequently, two county board members and a city alderman may not serve on the county housing authority board simultaneously. 50 ILCS 105/1 (West 2006); 55 ILCS 5/2-3008 (West 2006); 310 ILCS 10/3 (West 2006).

**Informal Opinion No. I-08-021**  
**Issued July 10, 2008**

**Creation and Operation of Joint**

**Dispatch Call Center**

A county emergency telephone system board (ETS Board) may operate a joint dispatch call center with the county sheriff's office and a municipal police department that responds to emergency and non-emergency requests for assistance. Emergency telephone system funds may be expended for the costs to employ telecommunicators only to answer emergency calls. The ETS Board may not expend ETS moneys to employ telecommunicators to answer non-emergency calls. Costs must be pro rated among the various agencies participating in the joint dispatch center. 50 ILCS 750/15.4 (West 2007 Supp.); Ill. Const. 1970, art. VII, §10.

**Informal Opinion No. I-08-022**  
**Issued July 24, 2008**

**Temporary Registration of a Vehicle Purchased in Iowa**

If an Illinois resident purchases a motor vehicle in Iowa, Illinois will grant reciprocity to Iowa transit permits only for the movement of the vehicle from the Iowa car dealership directly to the residence of the owner. In the circumstances under review the owner was not required to display an Illinois temporary registration permit but could operate his recently purchased vehicle in Illinois pending completion of its registration, by displaying a copy of the Illinois registration application in the windshield of the vehicle. 625 ILCS 5/3-701 (West 2006); 625 ILCS 5/3-401 (West 2006).

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