



TOOLKIT: CIVICS FOR ENVIRONMENTALISTS

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HOW SPRINGFIELD WORKS

Your most important resource

<http://www.ilga.gov/>

The screenshot shows the Illinois General Assembly website. At the top, there is a navigation bar with links for Home, Legislation & Laws, Senate, House, My Legislation, and Site Map. A 'Translate Website' button is also present. The main content area is divided into several sections:

- SESSION SCHEDULE:** A box showing the current session (SENATE, Not In Today, Next: 10/28/2019) and the next session (HOUSE, Not In Today).
- Search:** A search bar with options to search by number (example: HB0001) or by keyword. It includes 'Go' buttons and 'Search Tips' links.
- Legislation & Laws:** A list of links including Bills & Resolutions, Public Acts, Illinois Compiled Statutes (with a 'Current law' highlight), and Illinois Constitution.
- Senate:** A list of links including Members (with a 'List of legislators' highlight), Schedules (with a 'Calendar' highlight), Committees, Journals, Transcripts, Rules, Audio/Video (with a 'Watch it live' highlight), FOIA Information, and Media Guidelines.
- House:** A list of links including Members (with a 'List of legislators' highlight), Schedules (with a 'Calendar' highlight), Committees, Journals, Transcripts, Rules (with a 'Watch it live' highlight), FOIA Information, and House Employment Opportunities.
- Reports & Inquiry:** A list of links including Legislative Reports, Special Reports, My Legislation, GA Dashboard (with a 'File a witness slip' highlight), FTP Site, Previous General Assemblies (with a 'Bills from previous years' highlight), and Legislator Lookup (with a 'Find your legislator' highlight).
- Additional Resources:** A list of links including Legislative Support Services, Legislative Ethics Training, Discrimination & Harassment Information, and Legislative Inspector General Inquiries.
- Rules & Regulations:** A list of links including Illinois Register and Administrative Rules (with a 'Rules' highlight).

At the bottom left, there are two logos: 'ILLINOIS AMBER ALERT' and 'NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN'.

Use the Illinois General Assembly website to:

- Find your legislators - <https://elections.il.gov/ElectionOperations/DistrictLocator/DistrictOfficialSearchByAddress.aspx>
- Check legislative calendar
- File a witness slip - [Filing a Witness Slip](#)
- Find current laws, rules, and bills from previous years
- Watch Assembly sessions live

Legislative Timelines

Regular Session

In Illinois a legislative session lasts for two years, falling between each general election. During this period there will be two regular sessions, running from January to May of each year. These are the times when the bulk of legislative activity will occur. Generally, during regular session you will see the majority of bills introduced and lawmakers have until May to pass the bills out of both chambers and given to the Governor for action.

Veto Session

Another common type of session is called veto session, a short period at the end of the year in which the legislature may take up legislation vetoed by the Governor in an attempt to override the veto or amend the bill in a way that takes away the Governor's objections. This type of session is usually very short, amounting to no more than a month in length.

Special Session

During certain instances the Governor may call a special session to resolve issues that were not handled during the regular session, normally issues that are time sensitive or of great importance to the welfare of the State. An example of this occurred during Governor Rauner's term in office when the legislature could not agree on the parameters of the State budget. In order to avert a shutdown of important services, Governor Rauner called legislators back to Springfield during the summer to have the matter resolved.

Lame duck session

After a general election and before the swearing in of new lawmakers there will sometimes be a lame duck session. This is a short window in which some bills may be more easily acted on because lawmakers that opposed a bill may be more inclined to support because there is no longer a fear of political retaliation from voters or fellow lawmakers. This is not always the case, but it can certainly make things interesting before the new session begins.

Assembly Calendars

Calendars of activities for each legislative body can be found at:

- House Calendar's (Daily, Weekly, Yearly) - <http://ilga.gov/house/schedules/default.asp>
- Senate Calendar's (Daily, Weekly, Yearly) - <http://ilga.gov/senate/schedules/default.asp>

The Story of a Bill (the very basics)

Introduction of a House/Senate Bill

In either the House or Senate, a piece of legislation starts when a lawmaker introduces the formal language to their respective chamber. The legislation is now on 1st Reading.

Determining what committee a bill goes to

After introduction the bill needs to be heard in committee for debate. The committee a bill goes to is determined by special committees in the House and Senate that route legislation based on subject matter. These special committees are called Assignments (Senate) and Rules (House).

Committee Hearing (Majority 'Yes' = Pass, Majority 'No' = Fail)

Once a bill is routed to a committee it is time for the first debate to begin. The general purpose of a committee debate is to determine whether a piece of legislation has the potential to have a majority of legislators support it, as well as assess whether there are issues in the legislation that need to be resolved with amendments. If the bill receives a majority of 'Yes' votes it moves back to the chamber in which it was introduced. If the bill receives a majority of 'No' votes, the bill fails.

2nd Reading

Once a bill makes it out of committee it is sent back to the chamber to be read into the record for a 2nd time, moving the bills status to 2nd Reading.

3rd Reading

Once the bill's sponsor feels the legislation is ready for a vote by the full chamber, they will make a motion to have the bill moved to a 3rd Reading, the last before it is called for a vote. After being moved to 3rd reading the bill must stay on 3rd Reading for 24 hours before it can be called for a vote.

Final Vote

After remaining on 3rd Reading for at least 24 hours the Sponsor can call the legislation for a final vote before the entire chamber. In the House the legislation needs at least 60 'Yes' votes to pass, while it needs 30 votes in the Senate.

Repeat in other Chamber

Once a bill is passed out of its originating chamber it moves to the opposite chamber for the same process. If the legislation passes both chambers it moves to the Governor's desk.

Signing/Veto

If approved by the Governor, the bill will be signed into law. Veto types are outlined below:

Full Veto: Governor exercises a veto of the entire bill. The legislature can override the veto with a "supermajority" vote of 3/5th of members in both the House and the Senate. Otherwise the bill is dead.

Amendatory Veto: Governor suggests changes to the bill and sends it back to the legislature. The legislature can accept Governor's changes with a simple majority vote, 51%, in both chambers. The legislature can override the veto with a "supermajority" vote of 3/5th in both chambers. If the legislature cannot accept or override the changes, the bill is dead.

Line Item Veto: Governor eliminates certain sections related to the funding of the bill. Everything else becomes law. The legislature can override the veto with a "supermajority" vote of 3/5th of members in both the House and the Senate. Otherwise the line item veto stands.

Reduction Veto: Governor reduces the amount of money that funds the bill, or parts of the bill. Everything else becomes law. The legislature can override the veto with a simple majority vote, 51%, in both chambers to restore the funding. Otherwise the Governor's reductions become part of the law.

Drafting, Introducing, and Advancing a Bill

Parts of a Bill

Each bill is usually composed of the following parts:

- Short title
- Purpose/Policy/Legislative Intent
- Definitions
- Main provisions
- Penalties
- Severability or inseverability
- Repeal Date
- Effective date
 - Immediate
 - Specify an effective date
 - Silent - If a bill has no express effective date, then the Effective Date of Laws Act, 5 ILCS 75/, supplies the date. If the bill passed prior to **June 1**, it takes effect the following **January 1**. If it passed after May 31, it takes effect **June 1** of the following year.

Drafting a Bill

To introduce a bill, you need to prepare in advance and follow the process:

Research: Where in the statutes should your legislation go and what do you want to change? Check the [Illinois Compiled Statutes](#) and see below for more information.

Draft as much as you can: The drafters won't always accept your language, but they appreciate your thorough guidance. Copying and pasting from other states or other legislation is highly recommended.

Consult with the Legislative Reference Bureau: Call (217) 782-6625 to confirm that all the needed steps are completed

- You should be a registered lobbyist
- You **must** have a bill sponsor
- You'll need an effective date, see above
- When you call, **have the statute number ready**. Once you provide this number they will direct you to the correct staff which handles that particular statute.
- Ask the staff for the dates of important deadlines (i.e. drafting request deadline, amendment drafting deadline, etc.). Try to get drafting requests submitted as far before the deadlines as possible. Drafting a new bill can often take a month or more, so it is best to be safe and get requests in as early as you can.

Shell bills

A shell bill is a bill that is introduced at the beginning of the **legislative** session with **little** or no **substantive** language. Shell bills are intended to serve as a placeholder for **legislative** proposals to be filled in later.

Key Environmental Statutes

Below is a list of some of the most common statute chapters that are of interest to the environmental community. This is not an exhaustive list, but it is a good place to start:

220 – Utilities: (i.e. Public Utilities Act, Gas Storage Act, etc.)

410 - Public Health: (Lead Poisoning Prevention Act, Clean Indoor Air Act, etc.)

415 - Environmental Safety: (Environmental Protection Act, Solid Waste Management Act, etc)

505 – Agriculture: (Conservation Enhancement Act, Illinois Seed Law, Noxious Weed Law, etc)

525 – Conservation: (Exotic Weed Act, Natural Areas Stewardship Act, etc.)

Testifying in Committee

Prepare your testimony

- KEEP IT SHORT. LIKE RIDICULOUS SHORT.
- Often, committees are canceled or testimony is not allowed. Don't be disappointed.
[File a witness slip online prior to testifying](#)

You may want to find the chair of the committee prior to the hearing to discuss testifying. If it is a bill you're working on, make sure you have enough votes!

Change through Administrative Rules

In 1975, the Illinois General Assembly enacted the Illinois Administrative Procedure Act (IAPA) [5 ILCS 100] to create a procedure through which administrative agencies would exercise the authority delegated to them by the legislature to create administrative law through the adoption of agency regulations. The IAPA also includes a process by which the General Assembly would oversee the exercise of this delegated authority through the Joint Committee on Administrative Rules (JCAR), a service agency of the General Assembly.

When State agencies wish to adopt or change rules that affect anyone outside the agency itself, they must follow certain rulemaking procedures outlined in the IAPA. The details of the process vary depending on the type of rule and the concerns raised by the affected public. Rules of an administrative agency become valid and enforceable only after they have been through the rulemaking process prescribed in the IAPA. The purpose of the Rules is interpreting or implementing provisions of a statute and should not actually expand or limit the scope of the statute. A detailed description of the rulemaking process can be found [here](#) and is summarized below.

Types of Rulemakings

Four categories of rulemaking can be conducted by State agencies:

Proposed Rules: New rules and rule amendments that must undergo public comment and the Joint Committee on Administrative Rules (JCAR) review prior to adoption. This process can take from 90 days to a year to complete. The vast majority of State agency rules fall into this category.

Emergency rules: Temporary rules that take effect immediately or up to 10 days after filing with the Secretary of State, but remain in effect for no more than 150 days. The IAPA allows use of emergency rulemaking when an agency determines that a "threat to the public interest, safety or welfare" requires rules to be adopted in less time than would be needed to complete proposed rulemaking.

Peremptory Rules: Rules implementing federal regulations, collective bargaining agreements or court orders; i.e., measures that specify exactly how they must be enforced and do not allow the agency any discretion. Peremptory rules must be filed within 30 days after the action they implement and take effect immediately. They do not require public comment since they are dictated by an outside authority and cannot be changed.

Required/Internal Rules: Rules that establish the organizational structure of an agency, set forth procedures for meetings, or establish procedures for responding to requests for information under the Freedom of Information Act. Most, but not all, of these rules are contained in Title 2 of the Illinois Administrative Code. Internal rules take effect immediately upon filing and do not require public comment or JCAR review prior to their adoption.

Tracking Rulemaking Activity

All rulemakings are published in their entirety in the Illinois Register, a weekly publication of the Secretary of State. The Register is published on Friday, or if Friday is a State holiday, on the next State business day. Generally, rulemakings appear in the Register 10 to 14 days after they are filed with the Secretary of State. The most recent edition of the Register and electronic versions of all Register issues since October 2002 can be accessed from the Illinois General Assembly website or directly at the Secretary of State website at <https://www.cyberdriveillinois.com/departments/index/register/home.html>.

Public Hearings

The IAPA requires agencies to hold public hearings on proposed rulemakings if so requested by JCAR, the Governor, an affected local government, 25 interested individuals, or an association representing at least 100 interested individuals. Requests for public hearings on a proposed rulemaking must be submitted to the agency within 14 days after the proposed rulemaking is published in the Register. An agency may decide on its own to hold hearings on a proposed rulemaking. Notices of public hearings are published in the Register and appear in the [Flinn Report](#). Hearings during the First Notice period are conducted by the agency and are subject to reasonable rules designed to prevent excessive length or repetition of comments. Generally, persons testifying at public hearings are asked to bring a printed copy of their remarks and to limit their oral testimony to 5 minutes or less. Agencies may respond to comments at the hearing, but must include their responses to all commenters in the Second Notice materials they submit to JCAR.

ENGAGING WITH DECISION MAKERS

Why you should build relationships with elected officials

- **Awareness:** Elected officials can help you to spread awareness of your interests, work and your organization's mission.
- **Relationships:** Elected officials got elected by having strong networks and it may help you to plug in.
- **Credibility:** It can help to build trust in your organization if they attend an event or support your organization.
- **Problem solving:** You might have a problem someday that they can help with.
- **Access:** You will become a trusted source of information for decision-makers.
- **Funding:** Maybe someday we won't have a fiscal crisis and they can alert you to and/or help access funding opportunities.

Other decision makers to build relationships with

- Agency Staff
- Soil and Water Conservation District Staff
- Elected Official staff
- Local elected officials or city staff

What exactly is lobbying

- An act is only considered lobbying if you are trying to influence a legislator to take a particular stance on a specific piece of legislation. Asking a specific legislator for appropriation IS lobbying. There are two types of lobbying:
 - **Direct lobbying:** any communication with a legislator that expresses a specific view about legislation.
 - **Grassroots lobbying:** communication with the general public that expresses a view about a specific issue and includes a call to action.

Non-Lobbying Work

- Add them to your newsletter distribution list
- Invite them to attend events
- Attend their events, such as town halls, or non-political forums
- Invite them on a tour or site visit with your staff
- Give them district specific information on the issue that you work on
- Educational communications that do not mention a specific piece of legislation.
- Communication to the general public about a specific piece of legislation that does not express a call to action.
- Foundations rarely fund lobbying activities (which are taxable). However, educating lawmakers or the general public is fully fundable.

Should you register as a lobbyist?

In Illinois, if your organization spends less than \$500 on your lobbying activities, you DO NOT need to register as a lobbyist. However, if your organization spends more than \$500, both you and your organization will need to register. Don't forget - many activities involving government do not count as lobbying! Please check out the list above for some common examples.

If you plan on using between 5% and 20% of your organization's budget to lobby as defined above you need to record the amount spent and claim election H on your taxes. As a 501c3, you cannot spend over 20% of your budget on lobbying.

If you determine you need to be registered as a lobbyist, or have other general questions visit the [IL Secretary of State Lobbyist Registration Manual](#) for more information.

CONSERVATION POLICY OVERVIEW

Conservation of land is a top priority of Illinois' environmental groups. We have important allies in hunting, fishing, outdoor recreation, and parks proponents and have a strong case to make concerning the economic contributions of outdoor tourism and the impact of open space on property values.

Still, conservation in Illinois has been deeply impacted by the state budget. In 2004, a coalition was organized to respond to Governor Blagojevich's proposal to take a "holiday" from funding open space acquisition in Illinois. This coalition named itself Partners for Parks and Wildlife (PPW). The coalition ultimately grew to more than 130 member organizations, and was successful in restoring to the state budget all of the proposed cuts (\$56 million).

Agency Funding

The next year, proposed budget cuts to the Illinois Department of Natural Resources were even deeper. That year PPW secured \$18 million that was proposed to have been cut, and in 2006 prevented a \$20 million cut while also increasing the new appropriation by \$13 million, for a three year total of \$107 million. In 2011, this coalition worked to restore money swept from the Open Space Land Acquisition and Development Fund (OSLAD) and the Natural Areas Acquisition Fund (NAAF), key funding sources for land acquisition and protection in Illinois. In 2012, the coalition was rejuvenated and moved to pass user fees at state parks that will prop up the agency's budget. This bill passed in the Fall of 2012. The coalition engaged many downstate organizations and hundreds of individual environmental and conservation minded individuals motivated to protect our state parks.

While IDNR funding has leveled and even increased in recent years, staffing levels remain low. We are particularly concerned with the lack of a director to the Illinois Nature Preserves Commission and Endangered Species Protection Board (ESPB), as well as recent decisions that do not support a science based approach to managing wildlife. Examples of this include the recent bill to add Farm Bureau members to the ESPB, the introduction of a bobcat hunting season, and a recent bill allowing deer baiting. Further, there is \$720 million in delayed capital needs at Illinois' state parks, which lowers the overall quality of these parks and hurts the tourism economy.

Fund Sweeps

While the overall budget is important to conservation, fund sweeps deserve additional attention.

There are several state programs that direct funding to conserving natural areas, including: the NAAF, OSLAD, and the Open Land Trust (OLT) programs. The strength of these programs and degree of funding has varied throughout the years. OSLAD and NAAF are financed by a percentage of the state's Real Estate Transfer Tax, which is a more sustainable source of funding than direct line appropriations. However, both programs were hurt by the state's historic budget impasse – as an appropriation to spend the money in these accounts was necessary. Annually, these programs generally receive \$30-\$50 million depending on the economy.

The OLT Program provides grant funding assistance on a competitive basis to eligible local units of government for the acquisition of land from willing sellers for public conservation, open space, and natural resource-related recreation purposes.

Partners for Conservation, formerly known as the Conservation 2000 Fund, was created as a special fund in the State Treasury to establish a comprehensive program to protect Illinois' natural resources through cooperative partnerships between state government and public and private landowners. The Partners for Conservation fund may be utilized by the Illinois Department of Natural Resources, the Environmental Protection Agency, and the Department of Agriculture for purposes relating to natural resource protection, planning, recreation, tourism, and compatible agricultural and economic development activities.

The Wildlife Preservation Fund is financed through a voluntary check-off designation on state income tax return forms. Each individual taxpayer required to file a State income tax return may contribute to the Illinois Wildlife Preservation Fund by stating the amount of such contribution (not less than \$1) on the return under the section titled Donations. The amount of the donation will be deducted from the tax refund (if the taxpayer is due a refund) or will be added to the amount of tax owed. Direct donations may also be made to the Illinois Wildlife Preservation Fund.

The one thing all of these different funds have in common is the possibility of being swept by the General Assembly. This means that during budget negotiations it is common for portions of these funds, and in some cases all of the money from a fund, to be pulled out and put into the general revenue fund in an effort to balance the budget or to fund another program the State feels is more important.

Other Conservation Policies

In addition to advocating for increased funding for IDNR programs focused on conservation, the conservation community has also worked to advance bills that provide legal stability for the operation and acquisition of open spaces. Examples are described below.

Recreation liability. In 2013, the policy was changed to return recreation liability exemption to private lands that are open to the public for outdoor recreation. The removal of this liability exemption in 2007 was very costly and restricted access to open spaces across Illinois.

Natural Areas Stewardship Act. The Illinois Environmental Council (IEC) working with partners passed legislation that allows IDNR to create an optional grant program to fund conservation stewardship for Illinois Nature Preserves. This bill was passed with Republican sponsorship in both chambers, and helped our community foster relationships with conservation advocates that are not necessarily strong environmental legislators. In 2018, this grant program received \$1 million from the FY2019 budget, which is equally significant. Conservation groups negotiated with the Illinois Farm Bureau and the Illinois Department of Natural Resources to pass this bill.

Farmland Preservation. Preserving farmland in areas of urban sprawl and designating farmland in urban areas is an important component of open space protection. Recently, legislation was introduced to give county governments more tools to encourage farms and farm businesses where they want them through changes to the Agricultural Areas Program. The intent was to help

owners of high quality farmland to keep their land in farming, as well as support land-seeking farmers who need more secure, long-term access to good farmland. Highlighting the power dynamics in Springfield, this bill had strong opposition from the Farm Bureau as well as the Illinois Realtors Association and public utilities, who raised concerns over restricted development. As a result, the bill did not move forward.

Wildlife preservation. Significant strides have also been made on wildlife preservation. In the last decade, we have added new species to the Exotic Weeds Act and new animals to the protected species list. While we have made good progress in this area, we have also encountered policy conflicts with some organizations related to wildlife protection, especially as it relates to taking bobcats. Organizations focused on hunting and outdoor recreation had been pushing the DNR to allow the taking of bobcats, arguing that their population had increased enough to allow managed hunting in certain areas of the State. While DNR staff maintained that limited bobcat hunting would be acceptable, many wildlife and humane advocacy groups argued that there was not enough data to justify the creation of bobcat permits. In the end the State did allow the taking of bobcats in certain counties and at very low numbers, but the conservation community continues to keep a close eye on the program as it moves forward.

2019 Progress

The 2019 legislative session resulted in several achievements highlighted here. The legislature passed a bill that greenlights the inclusion of soil health best practices among the list of resources that local Soil Water Conservation Districts can provide for farmers in Illinois. This bill will help farmers implement soil health practices that protect clean drinking water and reduce costly erosion and runoff. By codifying this mission in the statute, we offer justification for the work that SWCD's are already implementing. Additionally, the legislature passed a resolution to support the Nutrient Loss Reduction Strategy. This pair of legislation will put Illinois in position to begin addressing the state's contribution to the dead zone in the gulf and allow us to keep our valuable healthy soil and nutrients on the land where they belong instead of losing them into our waterways.

During the 2019 legislative session, the Wrongful Tree Cutting Act was amended to establish a fairer legal process for determining and assigning damages incurred on protected lands. The current statute provides recovery of up to three times the value of the wood from trees that are removed or vandalized. It does not include compensation for damages to wetlands, trails, ravines, or wildlife habitat. This bill addresses the undervaluation of the auxiliary damage and seeks to capture a more accurate valuation of lost environmental benefits.

Another successful bill adds clarity to several aspects of the conservation easement law. A conservation easement is an important voluntary legal agreement between a landowner and a unit of government or a land trust that permanently restricts the land use for conservation purposes. This important tool protects Illinois' most valuable conservation properties. Conserved land may be used for outdoor recreation, hunting, wildlife habitat and many other important purposes.

Additionally, we are working on a few key priorities outside of the legislature. The IEC team is working to remove barriers to conservation stewardship by allowing participants in a supervised youth job training program to qualify to apply herbicide products on public land. This will allow

youth job training participants to build skills and prepares them to take the exam upon professional employment. IEC is also working to encourage public land leases in Illinois to include conservation practices such as cover crops and vegetative buffers. Finally, we are also working with the Illinois Department of Agriculture to incentivize cover crops by implementing a crop insurance discount program for acres that include the practice.

Future Policy Priorities

Full funding of state agencies: We would like to see Illinois state agencies such as Department of Natural Resources, the Environmental Protection Agency, and the Department of Agriculture be fully funded so they can fill open positions with qualified candidates and adequately run the programs they have been tasked with

Open Space acquisition: We would like to see Illinois become a leader in conservation by funding open space acquisition and stewardship

Dedicated funding for the NLRS: The Nutrient Loss Reduction Strategy guides our work and sets goals for the reduction of Nitrogen and Phosphorus in our surface waters and ultimately into the gulf. There is not currently any dedicated funding for this plan.

Conservation practices on public agricultural land: The state of Illinois has an opportunity to become a leader in conservation agriculture by adopting regenerative agriculture practices on the land that is owned and managed by the state. We are interested in assisting the state in achieving this goal.

Focus on climate change: Focusing on how conservation practices and stewardship of open space can be a tool in mitigating climate change is a huge opportunity for the conservation community. We hope to make this connection for legislators and tailor Illinois policy to include the benefits of carbon sequestration and climate change mitigation.

ADDITIONAL RESOURCES LIST

- Inventory of all protected land in Illinois, searchable by owner, location, legislative district, etc.: Prairie State Conservation Coalition, [I-View](#) interactive map and [user guide](#). Contact IEC for pdf's of any districts of interest.
- Building relationships with legislators in your district, a [guide](#) from the National Sustainable Agriculture Coalition.
- [How Rules are Made in Illinois](#)
- [Advocacy for Conservation Organizations](#) - Recorded Vital Session
- Funding opportunities for sustainable agriculture: [Guide](#) to dozens of federal programs and policies most important to sustainable agriculture from the National Sustainable Agriculture Coalition