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1 message

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Bills try to dim sunshine laws
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[Local Video and Photos] Rep. Mike Tryon and Sen. Pamela Althoff have each co-sponsored bills that may limit open government in Illinois. Tryon's House Bill 1869 would allow governments to post public notices online instead of in newspapers, while Althoff's Senate Bill 2203 would change the Freedom of Information Act. (Video by Statehouse News)

Two recent General Assembly bills aimed at Illinois open government laws have more in common than their content.

Both have McHenry County legislators as chief co-sponsors.

Senate Bill 2203, co-sponsored by Sen. Pamela Althoff, seeks to weaken the new state Freedom of Information Act through significant changes that include doubling the response time to 10 working days. House Bill 1869, co-sponsored by Rep. Mike Tryon, would allow governments to post public notices to their websites in lieu of local newspapers.

Althoff, R-McHenry, said she sponsored the bill to act as a vehicle for the number of bills "popcorning up" to make changes to FOIA. She stressed that her intent was not to curtail transparency, but to address real issues that have arisen from the new FOIA and bring all sides together to discuss them and use Senate Bill 2203 to carry any changes.

"We're trying to take a more proactive, collaborative approach to this issue," Althoff said. "[The bill] may be the vehicle, not necessarily its language."

Besides doubling the response time, Senate Bill 2203 as submitted eliminates public bodies' mandate to offer detailed explanations for FOIA denials and the requirement that they seek Attorney General permission before citing the most often-abused exemptions. Althoff is a member of the Legislative Committee led by David Koehler, D-Pekin, who sponsored the bill at the behest of municipal and school groups.

Lawmakers in the months after the arrest, impeachment and indictment of former Gov. Rod Blagojevich approved sweeping reforms to a FOIA law that was considered by critics to be far too weak and easy to abuse. The reforms, drafted by Attorney General Lisa Madigan with the help of good-government and news media groups, shortened the response time from seven days to five, limited exemptions, and capped what

governments could charge for copies. They also gave Madigan's office binding authority to enforce the law.

At least nine bills have been filed since January to curtail the new and improved FOIA, not counting bills to exempt the list of people who have firearm owner identification cards.

House Bill 1869 does not amend FOIA, but would change the way taxpayers keep up with their taxing bodies. Under the bill, governments could opt to print their public notices online as long as they run a small print ad with a link to the website so taxpayers can visit the individual websites of each of their taxing districts.

While proponents say the move will help cash-strapped state governments, opponents label the move as a stealth assault on open government and the watchdog function of local newspapers.

Tryon, R-Crystal Lake, is one of six co-sponsors of the bill filed by Rep. Frank Mautino, D-Spring Valley. While he conceded that the bill had problems, he said it started a needed conversation.

"I think there are major issues with the bill. I think it needs to be a work in progress where everyone who is affected, including newspapers, need to be a part of the discussion. But I think the discussion needs to happen because the way people get their information is changing," Tryon said.

Four of Tryon's fellow co-sponsors have submitted other bills in this session aimed at curtailing FOIA or exempting records through other laws.

A 2010 U.S. Census report stated that one American in three does not have Internet access, and a 2011 Pew Research Center report concluded that almost 60 percent of Americans ages 65 and older do not use the Internet.

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"No More Excuses" is an ongoing Northwest Herald series regarding the public's right to know in Illinois.

On the Net

You can read more about the state Freedom of Information Act and Open Meetings Act at foia.ilattorneygeneral.net.

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