



Barrington Area Council of Governments
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TO: Village Presidents and Township Supervisors
Village and Township Boards and Commissions
Village and Township Administrators and Staff

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SUBJECT: BACOG Legislative Action Report -- **PLEASE DISTRIBUTE**

DATE: November 3, 2009

2009 LEGISLATIVE ACTION REPORT

Legislative activity is a priority for the Barrington Area Council of Governments (BACOG). Historically, BACOG members' legislative strength has come from addressing needs on a regional basis and voicing the concerns of the BACOG community as one. This report gives a brief summary of the major components of state legislative action in the 2009 session, followed by BACOG's action on issues from our platform and those that are most important to our governments.

SUMMARY OF 2009 STATE LEGISLATIVE SESSION

State Budget

The FY 2010 budget was signed into law by Governor Quinn after the spring session ended. The FY2010 budget relies upon a significant amount of borrowing due to an \$11.5 billion deficit for fiscal years 2009 and 2010. The General Assembly utilized short-term borrowing to come up with \$3.5 billion dollars to allocate toward the FY2010 pension obligation for purposes of freeing up approximately \$2.2 billion for social service providers. An additional \$3.2 billion owed to vendors and state service providers will be withheld until the next fiscal year. The budget empowers the Governor to cut \$1 billion while placing another \$1 billion in reserve. The Local Government LGDF revenue remains the same. Layoffs and unpaid furlough days for state employees will also take place. In the absence of any significant cuts or revenue enhancements within the coming months, the borrowing is expected to result in an even larger budget deficit for FY2011.

Capital Bill

Governor Quinn signed a \$31 billion capital bill. This bill includes \$14 billion for work on roads and bridges, \$4.6 billion for mass transit agencies, \$4.2 billion for education (including school construction, school maintenance and higher education capital projects). The bill will also create and support jobs over the next few years with the *Illinois Jobs Now!* plan.

Transportation – Transit

Governor Quinn had been an advocate for high speed rail. The \$850 million for rail infrastructure in the legislation is the largest state capital investment in railroads in the nation outside of California. The legislation signed provides \$400 million for high speed rail and \$150 million for Amtrak related

improvements, and \$300 million for the Chicago Region Environmental and Transportation Efficiency (CREATE) Program which will address many of the bottlenecks in and around Chicago.

BACOG ANNUAL LEGISLATIVE PLATFORM

BACOG and its Legislative Committee play an important role in promoting the area's agenda and accomplishing changes to bills that could positively, or negatively, affect local governments. The Legislative Committee develops a "BACOG Legislative Platform" each year, and it was utilized regularly in talks with state and federal legislators.

The Legislative Platform has two parts: BACOG "Guiding Principles" and "Legislative Priorities and Supported Issues". Guiding principles are broad statements in support of protecting local land use, planning and zoning, the environment, revenues, public safety, and the right to self-determination. The guiding principles allow the Executive Director and board members to take action should an important issue arise suddenly. BACOG's legislative priorities and supported issues are more to the point of specific local needs, concerns or anticipated bills; these priorities change each year.

The 2009 Legislative Platform was adopted by the BACOG Board on January 27, 2009. The development process began with conversations between state legislators and federal legislative aides and the Board and researching other COG and municipal positions in fall 2008. The 2009 priorities and supported issues were identified as:

- Oppose the Canadian National Rail Road Purchase of the EJ&E. (Carryover from 2008 Platform).
- Educate Legislators, Officials and Units of Government Regarding Needed Modifications to Disconnection Legislation.
- Fund Local Groundwater Research and Protection Efforts. (Carryover from 2008 Platform).
- Support for IML Reform Policies for Public Safety Pension Funds. (Carryover from 2008 Platform).
- Support Notice to Municipalities and Townships of Foreclosures.
- Oppose State Imposition of Uniform Building Code Requirements.
- Support for the Extension of Route 53. (Carryover from 2008 Platform).
- Support Streamlining of Administrative Procedures for MFT Small Projects.
- Eliminate Workers' Compensation Presumption for Certain Conditions Developed by Firefighters, EMTs and Paramedical Who Use Tobacco Products.
- Monitor Changes to SB1429, the Streamlined Sales Tax Agreement, Regarding Origin Sourcing Rules for Intrastate Purchases.
- Maintain the Basic Provisions of the Freedom of Information ACT (FOIA) and the Open Meetings Act (OMA) without Placing Additional Burdens on Local Governments.
- Support Enabling Legislation for Development Impact Fees. (A "watch" issue)
- Amend the Affordable Housing Act. (A "watch" issue)

BACOG 2008-09 Initiatives

Foreclosure. BACOG's initiative that would require notice of foreclosures to local governments was brought forth by the BACOG administrators. Notice of foreclosures to municipalities and townships was in the initial proposal and was negotiated down to notice to municipalities only, with agreement from the townships. BACOG members had meetings with local banks and went to Springfield to meet with the bankers lobbies and legislators. The Legislative Committee also met with Speaker Madigan and successfully moved the bill from an unreceptive committee to a better venue for hearing. The bill

originated in HB967, was then incorporated into SB268, and then was moved into SB1894. SB1894 is a more comprehensive bill on foreclosures and additional unrelated provisions (realtors licensing act renewal, predatory lending database) are included in this bill. SB 1894 passed both Houses on October 29, 2009, and will be sent to Governor Quinn for signature.

Pension Reform. Pension and health bills committing benefits for public safety personnel have caused an extreme financial hardship on local governments. BACOG sent letters to area legislators explaining our local governments' positions on a number of pension bills such as opposing SB 1827 -Transfer credit between Firefighter Pension and IMRF, an initiative with the Village of Barrington to oppose this bill because the estimated net liability for Barrington was \$1.8 million dollars, which would have resulted in service cuts to taxpaying residents to fund a projected deficit that would result from this measure; and supporting SB 2011 – Pension Amortization Schedule, which would extend the amortization period to 2049, giving municipalities more time to pay off their unfunded pension liability. Other pension bills and their outcomes are listed in the section below.

Progress on Issues in the Annual Platform

BACOG staff monitored and took action on a large number of bills. Letters were written to our area's Representatives and Senators, plus many letters were sent to committee chairpersons, committee members, and other legislators in both houses representing areas outside of BACOG. Many were specific to the BACOG Legislative Platform and a number of letters addressed BACOG's legislative priorities and supported issues. Listed below are just some of the bills BACOG addressed in letters:

SB 1894 – Foreclosure notice to municipalities. (Also see narrative above.) Letters were sent and phone calls made in spring and fall to area legislators and committees assigned to hear this bill. Numerous meetings with the original and subsequent bill sponsors in Springfield. Solicited support from other councils of government. Worked extensively with Illinois Municipal League and other COGs for support. Passed both Houses on October 29, 2009 and will be sent to Governor Quinn for signature.

SB 154 – Foreclosure-Deeds Notice. Letters were sent to area legislators to support. Signed into law 7/31/2009.

HB 2451 – Municipalities file lien for removing trash, trees, weeds and bushes. Letters were sent to area legislators to support and to Governor Quinn. Meetings with legislators in Springfield. Signed into law on 8/14/2009.

HB 621 – Township code-weed cutting. Letters were sent to area legislators to support and to Governor Quinn. Meetings with legislators in Springfield. Signed into law on 8/14/2009.

HB 644 – Delinquent Sewerage Payment & Discontinuing Service. Letters sent to area legislators to support. Bill did not progress.

SB 43 – Prevailing Wage. Letters were sent to area legislators and phone calls made in spring and fall session to oppose. Meetings with legislators in Springfield. This bill was still active in veto session but did not progress.

HB 217 – Property Tax-Special Service Disconnect. Letters were sent to area legislators. Bill did not progress.

SB 49/50 – Road Salt Purchase Reimbursement Fund. Letters were sent to area legislators and phone calls made to support and meeting with legislators in Springfield. Bills did not progress.

SB 148 – Automated enforcement at railroad crossings. Letters were sent to area legislators to support and to Governor Quinn. Meetings with legislators in Springfield. Signed into law on 8/14/2009.

HB 1345 – Freedom of Information Act (FOIA)-Settlement Agreements. Letters were sent to area legislators to oppose. Signed into law on 8/28/2009.

SB 189 – Major changes to FOIA. Letters sent to area legislators and to Governor Quinn asking for amendments. Meetings with legislators in Springfield. Signed into law on 8/17/2009.

SB 2011 – Pension Amortization Schedule. Letters were sent and phone calls made to area legislators to support. This bill was brought up in veto session and did not progress.

SB 1827 – Transfer Credit between firefighter pension and IMRF. Letters were sent to area legislators to oppose. An “Action Alert” was also done including letters sent to 36 Senators who would be voting on this bill and phone calls were also made to legislators to oppose. Bill did not progress.

HB 923 – Firefighter Act of Duty. Letters were sent to area legislators to oppose. Bill did not progress.

SB 250 – Public Safety Pension, Right to Intervene. Letters were sent to area legislators to support. Bill did not progress.

HB 895 – 3% Cost of Living adjustment. Letters were sent to area legislators to oppose. Bill did not progress.

HB 2540 – Police Pension Disability Increase. Letters were sent to area legislators to oppose. Bill did not progress.

HB 650 – Fireman Group Insurance. Letters were sent to area legislators to oppose. Bill did not progress.

Impact Fees, Affordable Housing, State Imposition of Uniform Building Code Requirements, Support for Extension of Route 53 – No action to report due to substantive bills were not introduced on these topics, or harmful aspects of bills were removed early in the legislative session.

A comprehensive list of issues tracked by BACOG is contained in the “**Bill Status Summary**”. The list provides information on each tracked bill such as a description of the bill, BACOG’s position and the action taken by BACOG and legislature through October 2009. If you would like a copy of the Bill Status Summary, please contact the BACOG office.

COMMUNICATIONS & EVENTS

BACOG staff and the Legislative Committee connect in person with state legislators through locally-planned events and lobby days in Springfield during session of the General Assembly. BACOG also communicates with other COGs and participates in IML Legislative Committee meetings to gain additional support for BACOG legislative issues.

Springfield Lobby Days. BACOG hosted two Lobby Days in Springfield for the 2009 spring session. The Executive Director and BACOG members visited legislators in the Capitol and attended various lobbying events. At **BACOG’s March lobby day**, they reviewed the BACOG Legislative Platform and stressed local needs such as notice of foreclosures to municipalities and townships, rail roads, pensions, contracting and salt reimbursement. BACOG representatives attended meetings with the Illinois Bankers Association on the foreclosure bill, the Cities and Villages Committee, press conference on CN/EJ&E Rail Road, meetings with legislators in Capital on various topics, Legislative Briefing at Illinois Municipal League and entered slips of support or opposition on various bills including pensions, contracting, and salt reimbursement. The BACOG March lobby day included a reception and dinner for our area’s legislators and other officials who are key to township and municipal issues. BACOG and McHenry County COG presented their legislative platforms to the legislators in attendance. The **April lobby day** focused on Illinois Municipal League (IML) events for the statewide regional COGs. The Executive Director and BACOG officials worked on the foreclosure bill, pension bills, the capital bill, and other issues.

Local Legislative Events. BACOG co-hosted a Legislative Breakfast on February 7th with Lake County Municipal League. The BACOG 2009 Legislative Platform was presented to an audience of about 90 state legislators, local officials and staff.

Updates from Area Legislators. BACOG understands the importance of communication with our area legislators as a means for them to hear BACOG's issues and ask for their help in supporting or opposing bills. Reports on the 2009 Legislative Session were provided by Senator Dan Duffy and Representative Mark Beaubien at the August 25, 2009 BACOG Board meeting and also by State Representatives Ed Sullivan and Keith Farnham at the September 22, 2009 BACOG Board meeting. Representatives Mike Tryon and Mark Beaubien participated in a BACOG – CUSD 220 Joint Legislative Affairs Meeting on Tuesday, October 13, 2009 to discuss disconnection of property from municipalities. Representative Bassi and Senators Murphy and Althoff were also invited to provide reports on the Legislative Session at Board meetings but were unable to attend due to special meetings in Springfield. Additional invitations will be made for the November board meeting to hear a recap of veto session.

Outreach. Staff recognizes the need to reach out to lawmakers who serve outside of the Barrington area to gain additional support for Barrington area issues. Strategies include meeting with leadership and key committee legislators in Springfield to educate on local needs.

BACOG staff participated in teleconferences hosted by the Illinois Municipal League where lobbyists review action and strategies for working in the Capitol; this helps us decide where to focus local efforts. The teleconferences also helps raise awareness of other bills, and BACOG can promote our positions on our interests to other local governments.

TOWARDS 2010 / COMMUNITY PARTNERSHIPS

BACOG and CUSD 220 are working together on common interests and ways to support each other on legislative platform issues. Possible common areas of interest are the CN Railroad, disconnection of property from municipalities, Freedom of Information Act (FOIA) and possibly taxation. BACOG and CUSD 220 plan to communicate with area legislators and legislators in Springfield to bring greater awareness.

BACOG is preparing for the 2010 legislative session by: 1) drafting the 2010 annual legislative platform this fall, 2) identifying legislative issues of common concern with community partners, and 3) developing new legislative proposals (bills) for 2010 session. One such proposal would re-classify speed limits on roadways along low-density areas, which would allow governments to set lower speed limits along roadways in low density residential areas that fall outside the definition of "residence district" in the Illinois Vehicle Code. The proposal is about local control in allowing municipalities to respond to residents' needs, identified hazards, accident rates and a matter of public safety by setting appropriate speed limits on municipal roads. The proposal has been submitted to the Illinois Municipal League for consideration on their legislative platform as well.

ACKNOWLEDGMENTS

The BACOG office would like to acknowledge the members of the Legislative Committee, the efforts of BACOG member officials who were involved in lobby days during legislative session, and the village and township staff who responded to "action alerts" from the BACOG office. Special thanks to Julie Losinski, BACOG Administrative Assistant, who provides a great deal of legislative assistance to the program.

The members of the Legislative Committee during FY 2008-09 were as follows:

Legislative Committee Members

Karen Y. Darch, President, Village of Barrington
Robert G. Abboud, President, Village of Barrington Hills
Eugene R. Dawson, Supervisor, Barrington Township
David Kizior, Trustee, Village of Deer Park (2008-09)
Keith Olson, Trustee, Village of Deer Park (2009-10)
Kevin C. Richardson, President, Village of Lake Barrington
David Raclaw, Trustee/Alternate, Village of Lake Barrington
Bruce J. Sauer, President, Village of North Barrington