

# Lake County's Legislative Program

# 2012

Lake County, IL

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State and  
Federal  
Initiatives  
and  
Programs



## Lake County, Illinois

### FY 2012 State and Federal Legislative Program

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## Lake County, Illinois

### FY 2012 State and Federal Legislative Program

As the political and economic climate continues to change, Lake County government continues to strive towards fiscally stable, efficient and transparent operations. While the climate may change, Lake County's commitment to maintaining strong partnerships with state and federal legislatures has not. Through these partnerships and the County's policies, the residents of Lake County continue to receive valuable services in an efficient and cost effective manner.

In 2012, as in previous years, the Lake County Board appreciates the opportunity to meet with our State and Federal Legislators to discuss challenges facing our County. In these challenging economic times it is essential that Lake County is able to govern without the restrictions of various statutes and public acts slowing down the process to ensure a high quality of life for Lake County residents.

We are well aware of the state and federal governments' on-going financial situations and have tried to be responsive and responsible as we prepared our 2012 legislative program.

As in the past, the County legislative policy is to:

1. Support legislation granting additional permissive authorities for counties.
2. Support legislation allowing counties to expand non property tax revenue sources.
3. Oppose unfunded mandates imposed by the state or federal government.
4. Oppose legislation that would reduce the existing authority of county government.
5. Oppose proposals that erode the existing County revenue base.

Specifically, as it relates to legislative policy number five, Lake County aggressively opposes any action that will divert, redirect, or reduce any funds owed and/or due to units of local government (i.e. sales tax, income tax, Personal Property Replacement Tax and inheritance tax), in order to fund obligations of the State or any State agency. Lake County has made difficult, yet necessary steps to balance its budget. Diversion of funds from local governments will force further service reductions to Lake County constituents and will further erode the resources necessary to aid in our economic recovery.

Sponsorship of specific initiatives and support of other proposals listed in the 2012 Lake County Legislative Program will be greatly appreciated.

## Lake County, Illinois

### FY 2012 State and Federal Program

#### Categories

1. **Sponsor**: Lake County sponsored initiatives.
2. **Support**: Seek to support partner organizations in their sponsorship of the initiative.
  - These proposals are broad based with impacts that extend beyond Lake County. It is most appropriate for a coalition or state wide organization to lead these initiatives. Lake County will support these proposals and the efforts of a coalition or statewide organization.

## STATE Initiatives to Sponsor

### Topic: Cell Tower Siting

**Issue:** Illinois State Law allows cellular towers by right in all unincorporated areas, and provides counties with no authority over the siting, height, and setbacks of cellular towers. This law has led to the proliferation of cellular towers in unincorporated areas, despite county efforts to encourage appropriate siting and co-location on existing towers.

**Recommendation:** **Sponsor** legislation previously offered through the re-writing of the telecommunications bill that would:

- Provide counties with more authority in the siting, height, and setback for cellular towers.
- Require new cellular towers to provide capacity for multiple telecommunication carriers.
- Require telecommunication companies to post a bond to ensure the removal of any tower that is obsolete or no longer in use.

## STATE Initiatives to Sponsor

### Topic: Removal of Abandoned Inoperable Vehicles from Vacant Properties

**Issue:** When inoperable vehicles are abandoned in the unincorporated area, the County normally has a number of remedies available to secure the prompt removal of such vehicles:

- When abandoned on a public right-of-way, such inoperable vehicles can be removed after 24 hours by a towing company (at the towing company's expense) upon notification by the Sheriff's Office.
- When abandoned on an occupied property, the County can initiate a nuisance suit to prompt the property owner to remove the inoperable vehicle; alternatively, the Sheriff's Office can make direct arrangements with a towing company to do so (at the company's expense) after a 7-day waiting period.

However, in a case where an inoperable vehicle is abandoned on vacant property, a nuisance case can be delayed by months when attempting to locate and serve judicial notice on the property owner and even longer if the property is in foreclosure. Likewise, under such circumstances the Sheriff's arrangement for vehicle towing can be delayed by several months while awaiting the receipt of a junking certificate from the Illinois Secretary of State. Hence, the County's remedies are inconsistent as a function of the underlying property status.

Faced with a similar problem, the City of Chicago has sought and obtained statutory authority (per 65 ILCS 5/11-40-3.1) to declare *all* abandoned inoperable vehicles as "hazardous and dilapidated" which allows them under the Illinois Vehicle Code to secure the immediate removal of any such vehicle by a towing company (at the company's expense) regardless of underlying property status.

**Recommendation: Sponsor** legislation providing counties with authority in unincorporated areas to similarly declare all abandoned inoperable motor vehicles as "hazardous and dilapidated" which under the Illinois Vehicle Code would allow the Sheriff's Office to immediately arrange for a towing company's removal of any such vehicle (at the company's expense).

## STATE Initiatives to Sponsor

### Topic: Establishment of Affordable Housing Trust Fund

**Issue:** In Lake County, the free market is unable to meet the demand for affordable housing without intervention due to land and property costs. Statistics demonstrate that housing costs exceed the reach of many residents, from young people starting out to seniors to those who have struggled with medical crisis or job layoff. Additionally, a lack of housing options – especially near job centers – translates into increased traffic congestion and environmental degradation, lower quality of life for commuters and residents, and a disincentive to employers seeking to move into or stay in Lake County. The lack of affordable housing undermines individuals and families, neighborhoods and communities, business and the environment.

**Recommendation: Sponsor** the creation of a Lake County Housing Trust Fund that will catalyze the increase and preservation of affordable housing opportunities in Lake County, with a focus on serving low and moderate income households and neighborhoods. By offering a flexible and creative financing source that is designed to leverage other dollars as well as local policy, the HTF will help overcome market barriers to affordable housing and make possible projects that otherwise may not occur. The types of projects that would potentially be funded include, but are not limited to:

- housing production, including new construction, redevelopment and rehabilitation
- acquisition of vacant or improved property for affordable housing production
- down-payment assistance to homebuyers
- rehab assistance to homeowners
- preservation of existing affordable housing
- foreclosure assistance and counseling
- any other activity that the County Board determines would address the County's strategic priorities, e.g., housing near business or transportation centers, employer-assisted housing for new business centers, etc.

The County requires state authorization to establish a recording fee on any real estate related document. If the state adopted such enabling legislation, the County Board would enact an ordinance to impose such a fee. The ordinance would direct that funds be collected and disbursed to the County Treasurer for deposit in the HTF. Up to 10% of the fund may be used annually by the County for its administrative costs related to the administration of the HTF program.

## STATE Initiatives to Support

### **Topic: Holding Mortgagees Responsible for Abating Code Violations on Vacant Properties**

**Issue:** Property maintenance issues resulting from vacancies are becoming more prevalent in the current economy due to mortgage default and now plague unincorporated neighborhoods throughout Lake County. Currently, a mortgagee (typically a financial institution) cannot be held responsible until the foreclosure process is complete and the deed is transferred to the mortgagee and recorded. As a result, nuisance violations arising from foreclosure-related vacancies typically do not get resolved for several months.

**Recommendation: Support** legislation to allow counties to hold a mortgagee responsible for failure to maintain or secure vacant property in the unincorporated areas prior to foreclosure deed transfer and recordation. Such legislation would:

- Force financial institutions to become better property stewards (and in turn reduce the incidence of violations and violation-related inspections).
- Help Lake County achieve more prompt compliance, thereby necessitating fewer follow-up inspections and lower administrative costs.

Additional maintenance costs would be borne by mortgagees (typically financial institutions) if this legislation was passed. In 2011, Illinois municipalities sought similar powers (HB 1109, SB 16).



## STATE Initiatives to Support

### Topic: Changing Language for Law Enforcement Hiring Procedures

**Issue:** A change to the Illinois Employee Credit Privacy Act (820 ILCS 70/1 et seq.) now forbids employers from inquiring about an applicant's or employee's credit history or obtaining a credit report. The Lake County Sheriff's Merit Commission has traditionally collected these reports (with permission from applicants) to determine the applicant's maturity, judgment and imperviousness to unseemly influences. However, Illinois legislators exempt state law enforcement and investigative units from the term "employer" when considering applications for hire. The Lake County Sheriff's Merit Commission would like to expand that language exemption to all county law enforcement and possibly local law enforcement units. The purpose is to clarify and set clear and consistent employment standards and practices.

**Recommendation: Support** the expansion of Illinois Employee Credit Privacy Act (820 ILCS 70/1 et seq) allowing the Lake County Sheriff's Merit Commission to be held on the same statute as state law enforcement and investigative units. To modify this would simply require an amendment to Section 5(3) by inserting "county and municipal law enforcement and investigative units" immediately following "state law enforcement or investigative units," thereby including these local units to have the same exemption afforded the state law enforcement entities. This would be budget neutral for the state legislative change. It would have little financial or workload impact for the county and local entities. The Commission has historically sought waivers, done credit histories and then considered them during the deputy candidate certification process.

## FEDERAL Initiatives to Support

### Topic: Workforce Investment Act Reauthorization

Due to the economic crisis and the number of individuals, who are unemployed, the services made available through the WDD and the WIB provide much needed support for individuals and businesses. Stakeholders, i.e. those who make use of the Job Centers' services and programs encompass the entire spectrum of individuals – from those with no discernable job skills to professionals including lawyers and engineers. In terms of education, individuals making use of the Job Centers may be illiterate to individuals with advanced professional degrees. During August 2011 over 1,700 individuals used the Waukegan Job Center's computers. Approximately 70 people attended a workshop while almost 80 individuals attended orientation sessions. On the national level, WIA programs served over 9 million workers this past year, a 248% increase over two years ago. Despite 4.6 jobseekers for every available job, over half of WIA participants gain employment. For the first three (3) quarters of Program Year 2010 (July 1, 2010 to March 31, 2011), there were approximately 1,140 individuals enrolled in programs and services offered through the Lake County Workforce Investment Department. An additional 390 young people were enrolled in in-school and out-of-school programs. Despite the continuing downturn in the economy, one (1) person in three (3) exiting the local system had gotten a job.

**Issue:** The entire budget for the Lake County Workforce Investment Board and the Lake County Workforce Development Department (WDD) are supported by the federal funds made available under the Workforce Investment Act (WIA). Should Congress not reauthorize WIA or annually appropriate workforce development funding, then all services provided would be terminated pursuant to County Board policy regarding termination of federal funding. Due to the continuing economic crisis, and the types of businesses in Lake County and the surrounding region that are now laying off employees, the Job Centers are increasing seeing individuals with professional backgrounds. The impact of any action/inaction on the part of the federal government will be felt nationwide. Within Illinois, the efforts that local staff has made are being replicated by workforce development and workforce investment board staffs that comprise the 26 workforce areas within the State. In addition, the Illinois Department of Commerce and Economic Opportunity has taken an active role in supporting reauthorization efforts. Local staff has participated with both the State and other localities efforts.

**Recommendation: Support** the federal Workforce Investment Act (WIA) which was enacted in 1998 with an original five-year lifespan. Since 2004, Congress has passed one (1) year continuances. It is vitally important that Congress pass WIA Reauthorization to ensure continuance of the federal funds made available for retraining and education efforts. Reauthorization of the Workforce Investment Act is being supported nationally by workforce board, workforce development and educational associations. Major proponents include: the National Association of Workforce Boards, the National Workforce Alliance and the Community College Association. Within Illinois, reauthorization is supported by the Illinois Workforce Partnership (the association comprised of representatives from the 26 workforce areas across the State) and the Chicago Jobs Council. Locally, the Lake County Workforce Investment Board has supported reauthorization efforts.