



LAKE COUNTY, ILLINOIS



FY2018 STATE AND FEDERAL LEGISLATIVE PROGRAM

Lake County, Illinois
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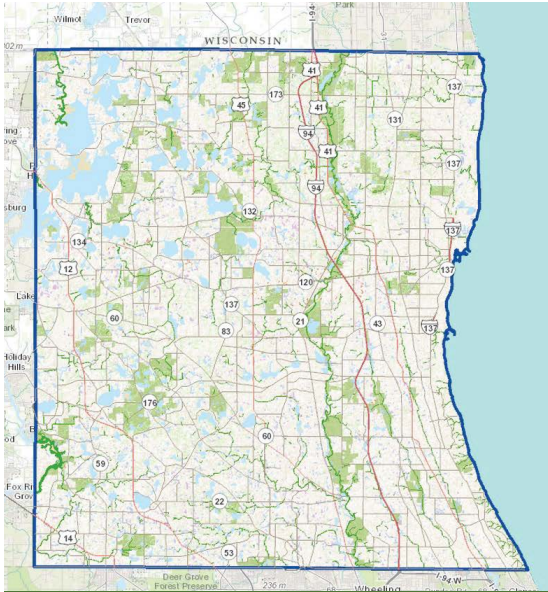


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About Lake County



- Square Miles: 443
- Population: 703,047
- Third-largest county in IL
- Halfway between Chicago and Milwaukee
- Major waterways – Lake Michigan, Fox River, Chain O'Lakes
- 30,800+ acres of forest preserve land

Housing

- Housing units (2015): 262,331
- Median value of owner-occupied housing units (2010-2014): \$247,300
- Homeownership rate (2008-2012): 76.8%
- Households (2010-2014): 241,846

Health & Recreation

- 650+ local parks
- 6 state parks
- 550 miles of trails and bikeways connecting forest preserves and communities
- 200+ lakes and rivers
- Ranked #3 in Illinois for physical activity and #4 for access to places to be active and healthy

Economics

- Median household income: \$78,026 (The highest in the state)
- Per capita money income: \$39,299
- Unemployment in Lake County: 4.0%* Illinois: 4.7% (not seasonally adjusted)* U.S.: 3.9% (not seasonally adjusted)* (October, 2017)
- 30,000+ businesses (12 Fortune 500 companies)
- 89% of residents age 25+ have graduated high school, and 43% have a bachelor's degree or higher

*Source: Illinois Department of Employment Security

LAKE COUNTY, ILLINOIS FY2018 STATE AND FEDERAL LEGISLATIVE AGENDA

Contact Information

Lake County Government

Lake County Board Office	(847) 377-2300
Lake County Administrator's Office	(847) 377-2250
McGuireWoods Consulting, LLC	(312) 750-3586

State of Illinois House of Representatives

51st District: Nick Sauer	(217) 782-3696
52nd District: David McSweeney	(217) 782-1517
57th District: Jonathan Carroll	(217) 558-1004
58th District: Scott Drury	(217) 782-0902
59th District: Carol Sente	(217) 782-0499
60th District: Rita Mayfield	(217) 558-1012
61st District: Sheri Jesiel	(217) 782-8151
62nd District: Sam Yingling	(217) 782-7320
64th District: Barbara Wheeler	(217) 782-1664

State of Illinois Senate

26th District: Dan McConchie	(217) 782-8010
29th District: Julie A. Morrison	(217) 782-3650
30th District: Terry Link	(217) 782-8181
31st District: Melinda Bush	(217) 782-7353
32nd District: Pamela J. Althoff	(217) 782-8000

United States House of Representatives

6th District: Peter Roskam	(202) 225-4561
10th District: Bradley Schneider	(202) 225-4835
11th District: Randy Hultgren	(202) 225-2976

United States Senate

Senior Senator: Richard Durbin	(202) 224-2152
Junior Senator: Tammy Duckworth	(202) 224-2854

FY2018 STATE AND FEDERAL LEGISLATIVE AGENDA

Introduction

Lake County government strives toward fiscally stable, efficient, and transparent operations amidst uncertain political and economic climates. A primary way that Lake County maximizes its operations is by maintaining strong partnerships with state and federal legislators. Through the County's policies and partnerships, Lake County residents continue to receive valuable, efficient, and cost-effective services.

In 2018, as in previous years, the Lake County Board appreciates the opportunity to meet with our state and federal legislators to discuss challenges we face as a County. To best address such challenges, it is essential for Lake County to govern free from the restrictions of various statutes and public acts which slow down the process to ensure a high quality of life for Lake County residents.

Lake County government is aware of the current financial environment at the state and federal government levels and has attempted to be responsive and responsible in preparing the FY2018 Legislative Agenda. As such, this year's Legislative Agenda balances large, aspirational goals that carry potential regional or statewide effects with direct, technical changes that make Lake County government – and in some cases all local governments – more efficient.

The guiding tenets of Lake County's legislative agenda are to:

1. Support legislation that grants additional permissive authorities for counties.
2. Support legislation that allows counties to expand non-property tax revenue sources.
3. Support legislation that promotes transparency at all levels of government.

4. Support legislation that encourages cost-effective government consolidation.
5. Support legislation that mitigates inefficiency.
6. Oppose unfunded mandates imposed by the state or federal government.
7. Oppose legislation that would reduce the existing authority of county government.
8. Oppose legislation that erodes existing state-appropriated County revenues.
9. Oppose legislation that weakens the County's ability to consolidate local governmental units and circumvents an existing appeals process.

Specifically, with respect to legislative policy numbers six and eight, Lake County aggressively opposes any action that will divert, redirect, or reduce any funds owed and/or due to units of local government (e.g., sales tax, income tax, and Personal Property Replacement Tax).

Additionally, Lake County's legislative agenda is guided by the following values adopted within the County Board's 2017-18 Strategic Plan:

- i. Leadership**
- ii. Fiscal Responsibility**
- iii. Exceptional Service**
- iv. Operational Excellence**
- v. Environmental Stewardship**

Sponsorship of specific initiatives and support of other proposals listed in the FY2018 Lake County Legislative Agenda is greatly appreciated.

FY2018 STATE AND FEDERAL LEGISLATIVE AGENDA

Positions

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 statewide organization to lead these initiatives, and Lake County will support their efforts as well as the proposals.

STATE Initiatives to Sponsor

Topic: Final Notice of Taking for Vacant Property

Issue: The Property Tax Code requires counties to notify property owners three different ways with the final take notice for tax liens:

1. By newspaper publication;
2. By certified mail from the Circuit Court Clerk; and
3. By personal service from the Sheriff, or if unable to be personally served, by certified mail from the Sheriff.

For tax liens on vacant properties, multiple final take notices are unnecessary and inefficient. By eliminating the publication requirement and requiring personal service from the Sheriff only if their certified mailing is unsuccessfully delivered for final take notices, Lake County could save more than \$23,000 annually while providing property owners with the necessary notice of taking.

Recommendation: Sponsor an amendment to the Property Tax Code (35 ILCS 200/22-15 and 35 ILCS 200/22-20) that excludes the publication requirement and requires personal service only if the certified mailing from the Sheriff is unsuccessfully delivered, and only for vacant properties.

100th General Assembly Action(s) and/or Result(s): House Bill 3270 (Jesiel, Wheeler) and Senate Bill 1678 (Althoff) were introduced and in-line with this initiative. However, these bills were re-referred to Assignments and the Rules Committee, respectively, and were not enacted. Lake County looks forward to working with its legislators to ensure this legislative amendment is approved.

Guiding Tenet(s) of the Legislative Agenda

- Mitigate Inefficiency

Value(s) of the County Board Strategic Plan

- Fiscal Responsibility
- Operational Excellence

STATE Initiatives to Sponsor

Topic: Definition of Storm Sewers as Underground Utility Facility

Issue: State law requires counties to treat underground storm sewers within the right-of-way as “underground utility facilities” as defined in 220 ILCS 50/2.2 of the Underground Utility Facilities Damage Prevention Act. This classification requires most counties to incur considerable expenses to process and field-locate these facilities after receiving notice from the “State-Wide One-Call Notice System” administered by Joint Utility Locating Information for Excavators (JULIE). For example, Lake County received nearly 9,400 such notices in one 12-month period.

All authorized work within the right-of-way is either by a county-issued permit or by a county contractor. As such, counties can use existing practices – rather than JULIE – to locate these and other types of facilities. In fact, this is the process that the Illinois Department of Transportation uses to manage storm sewer locates. Therefore, counties in northeastern Illinois should be allowed to follow the same process. The costs required to process and screen these requests is significant and continues to increase each year (in 2015, Lake County spent \$170,000 on these locates, up from \$104,000 in 2013). These are resources that could be dedicated for highway improvements and roadway maintenance.

Recommendation: Sponsor an amendment to 220 ILCS 50/2.2(a) to specifically exclude underground storm sewers located within county right-of-way from classification as an “underground utility facility.” This would be applicable only to DuPage, Kane, Lake, McHenry, and Will Counties.

100th General Assembly Action(s) and/or Result(s): House Bill 3634 (Phelps) and Senate Bill 1383 (Rezin) were proposals from JULIE to comprehensively rewrite the Underground Utility Facilities Damage Prevention Act, and still included storm sewers within the definition of “underground utility facilities.” Neither of these bills were passed. Lake County opposes these bills, and will work with its legislators to author an alternative bill that excludes storm sewers from the definition of “underground utility facility.”

Guiding Tenet(s) of the Legislative Agenda

- Mitigate Inefficiency
- Oppose Unfunded Mandates

Value(s) of the County Board Strategic Plan

- Fiscal Responsibility
- Operational Excellence

STATE Initiatives to Sponsor

Topic: Lakes Region Sanitary District Consolidation

Issue: The Lakes Region Sanitary District (District), established in 1972 as a government agency under the Illinois Sanitary District Act of 1936, entered into an intergovernmental agreement with Lake County Public Works in 1977 to transmit sewage from the District to a regional treatment facility. Today, the District encompasses approximately 11,000 acres (17 square miles) in unincorporated Lake County and portions of neighboring villages. The District, which is governed by a three-member Board of Trustees, (a) owns and maintains more than 82 miles of sewers, 2,060 manholes and 20 lift stations, (b) has grown from 1,200 customers in 1981 to over 6,240 customers in 2016, and (c) has a budget of \$3.93 million (fiscal year 2016) and seven full-time employees. Customers within the District currently pay four taxes and fees to three different government entities for sanitary services.

Lake County will conduct a financial feasibility study to determine the impacts of a consolidation of the District into the Lake County Public Works Department. If the study finds that a consolidation would reduce the layers of governmental units, maximize efficiencies, and promote stewardship of taxpayer resources, Lake County will seek legislation to consolidate the District.

Recommendation: Should the financial feasibility study determines consolidation would be more efficient and of better service to taxpayers, Lake County would **sponsor** legislation to consolidate the Lakes Region Sanitary District into the Lake County Public Works Department.

Guiding Tenet(s) of the Legislative Agenda

- Promote Transparency
- Encourage Consolidation
- Mitigate Inefficiency

Value(s) of the County Board Strategic Plan

- Fiscal Responsibility
- Operational Excellence
- Environmental Stewardship

STATE Initiatives to Sponsor

Topic: Seavey Drainage District

Issue: The Seavey Drainage District (District) includes portions of the Villages of Libertyville, Mundelein, and Vernon Hills. The District, intended to maintain and operate the Seavey Drainage Ditch, does not levy taxes or expend funds to operate or maintain the Ditch. Instead, all functions of the District have been previously assumed by these respective communities. To reflect the current funding mechanisms, reduce the layers of governmental units, and maximize efficiencies, the District should be dissolved by statute.

Recommendation: Sponsor a change in legislation by amending the Illinois Drainage Code (70 ILCS 605) to allow for the dissolution of the Seavey Drainage District and appropriate transfer of assets to the Villages of Libertyville, Mundelein, and Vernon Hills.

Guiding Tenet(s) of the Legislative Agenda

- Promote Transparency
- Encourage Consolidation
- Mitigate Inefficiency

Value(s) of the County Board Strategic Plan

- Fiscal Responsibility
- Operational Excellence
- Environmental Stewardship

STATE Initiatives to Sponsor

Topic: Cemetery Association Appointment Authority

Issue: State statute requires the presiding officer of the county board to appoint suitable persons to fill vacant positions on a cemetery association's board of trustees. This responsibility is best-suited for the presiding officer of a township, as said officer should be more familiar with the location of the cemetery, operations of the association, and the credentials of the appointee.

Recommendation: Sponsor an amendment to the Cemetery Association Act (805 ILCS 320/4) to transfer the appointing authority for cemetery associations from the presiding officer of the county board to the presiding officer of the township in which the association resides. This would be applicable only to Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will Counties.

Guiding Tenet(s) of the
Legislative Agenda

- Encourage Consolidation

Value(s) of the County Board Strategic Plan

- Operational Excellence

STATE Initiatives to Sponsor

Topic: Board of Review Appointment Process

Issue: The Property Tax Code (35 ILCS 200/6-15) mandates a partisan makeup of appointed Boards of Review. Specifically, two of the three members are required to be “affiliated with the political party polling the highest vote for any county office in the county at the last general election prior to any appointment made,” while the third member is not to be affiliated with that same political party. In counties (such as Lake) that have regular changes in partisan polling, this requires forced changes to Board of Review appointments in quick succession. As such, current state statute inserts politics into property taxes, and reduces the likelihood of continuity and experience in a skilled area.

Recommendation: Sponsor an amendment to 35 ILCS 200/6-15 that removes the partisan requirement for the composition of appointed Boards of Review. Rather, legislation should reflect a county board’s appointments be based on the qualifications and merits of the appointees and their experience in property appraisal and property tax administration.

Guiding Tenet(s) of the Legislative Agenda

- Mitigate Inefficiency

Value(s) of the County Board Strategic Plan

- Leadership
- Exceptional Service
- Operational Excellence

STATE Initiatives to Support

Topic: Homestead Exemption for Surviving Spouses Veterans with Disabilities

Issue: The Property Tax Code (35 ILCS 200/15-169) grants disabled veterans an annual homestead exemption for qualifying properties. The amount of the exemption varies depending on the (1) the taxable year and (2) and the extent of a veteran's service-connected disability, as certified by the U.S. Department of Veterans Affairs. In the event that a veteran passes away and leaves behind a surviving spouse, the surviving spouse is entitled to the tax exemption so long as the spouse (1) does not remarry, (2) permanently resides at the applicable property, and (3) holds legal or beneficial title to the homestead. If the surviving spouse sells the property, the tax exemption based on the most recent ad valorem tax roll can be applied to the new residence, so long as the property serves as the primary residence and the surviving spouse does not remarry.

Senate Bill 87 seeks to define "surviving spouse" as it applies to certain tax years and certain conditions of the veteran's death. Specifically:

- For taxable years prior to 2015, "surviving spouse" means the surviving spouse of a veteran who obtained an exemption under this Section prior to his or her death;
- For taxable year 2015, "surviving spouse" means (i) the surviving spouse of a veteran who obtained an exemption prior to his or her death and (ii) the surviving spouse of a veteran who was killed in the line of duty in the current or any preceding taxable year; and
- For taxable year 2016 and thereafter, "surviving spouse" means (i) the surviving spouse of a veteran who qualified for the exemption prior to his or her death, (ii) the surviving spouse of a veteran who was killed in the line of duty in the current or any preceding taxable year, (iii) the surviving spouse of a veteran who did not obtain an exemption before death, but who would have qualified for the exemption in the current taxable year if he or she had survived, and (iv) the surviving spouse of a veteran whose death was determined to be service-connected and who is certified by the U.S. Department of Veterans Affairs as being a current recipient of Dependency and Indemnity Compensation.

Recommendation: Support Senate Bill 87 (Link et al.), as amended on the Senate floor, that would amend the Property Tax Code (35 ILCS 200/15-169) to clarify the definition of "surviving spouse." Senate Bill 87 passed the Senate, but was re-referred to the House Rules Committee.

Value(s) of the County Board Strategic Plan

- Leadership

STATE Initiatives to Support

Topic: Mental & Behavioral Health Coordination of Care

Issue: The Illinois Mental Health and Development Disability Confidentiality Act (740 ILCS 110) provides for the standard by which mental health data is protected and disclosed. While the current statute does not specifically prohibit the electronic sharing of such data among health care providers and professionals, the electronic sharing of information to coordinate effective care is limited and isolated. As a result, patient care can be compromised by lack of information shared among providers.

Recommendation: The development of a legislative solution in this important area is complex and will require the leadership and participation of various stakeholders such as the medical profession and mental health advocates. As a partner in the development process, the County **supports** as a potential legislation initiative an amendment to the Mental Health and Development Disability Confidentiality Act (740 ILCS 110) that: (1) affirmatively include electronic signature and electronic documents in the definition “record”; and (2) enable data-sharing models such as a “central repository” for multi-agency, system-wide “strategic partnerships” to improve services and eliminate duplication.

Guiding Tenet(s) of the Legislative Agenda

- Promote Transparency
- Mitigate Inefficiency

Value(s) of the County Board Strategic Plan

- Leadership
- Exceptional Service
- Operational Excellence

STATE Initiatives to Support

Topic: Driver’s License Reinstatement

Issue: Nationwide, 40 percent of individuals who lose their driver’s license do so for reasons unrelated to improper driving. The State of Illinois Driver’s License reinstatement process for suspended and revoked licenses is perceived as cumbersome. In addition, current statutes – which have increased fines and fees over time - do not enable discretion in the waiver or reduction of fees for various non-moving violations. As a result, an individual’s inability to drive for non-moving violations impedes their ability to get or maintain employment and earn a living to support themselves, their families and pay their court fees.

Recommendation: The development of procedural and legislative solutions in this important area is complex and will require the leadership and participation of various local and statewide stakeholders such as the Secretary of State, the Judiciary, the Public Defender’s Office, the State’s Attorney’s Office, and the Bar Association. Accordingly, positive solutions may include increased judiciary discretion to waive fees, a standardized and appropriate process for determining indigency, and substantive operational changes to the Secretary of State’s driver’s license reinstatement process. As a partner in the development process, the County **supports** convening a working group to identify viable legislative and operational changes including legislative amendments that provide judiciary the discretion to waive or reduce mandatory fees and/or operational changes at the state level that simplifies the process for driver’s license reinstatement.

Guiding Tenet(s) of the Legislative Agenda

- Permissive Authority

Value(s) of the County Board Strategic Plan

- Leadership
- Operational Excellence

FEDERAL Initiatives to Support

Topic: Substance Abuse Coordination of Care

Issue: Current federal statutory provisions (42 CFR Part 2) require an individual to separately consent to allow the use and disclosure of patient information relative to substance abuse for treatment, payment, and healthcare operation purposes. As a result, these statutory provisions are inconsistent with the Health Insurance Portability and Accountability Act (HIPAA) and inhibit high-quality treatment and care coordination that comprehensively addresses a person’s healthcare needs. The alignment of 42 CFR Part 2 requirements with HIPAA will maintain the confidentiality of such information among professionals, and prohibit and penalize the unauthorized release and/or use of confidential medical information.

The Overdose Prevention and Patient Safety Act (H.R. 3545) would modify the legislation underlying 42 CFR Part 2 (42 U.S.C. § 290dd-2) to:

- Incorporate the HIPAA treatment, payment, and healthcare operations exceptions into Part 2 so those uses and disclosures would no longer require patient consent, resulting in enhanced whole-person care;
- Reduce barriers and allow access to vital information for medical professionals to properly coordinate the care of patients with substance use disorders; and
- Heighten privacy protections through measures such as (a) strengthening the existing prohibitions on the use or disclosure of such information in criminal proceedings, and (b) prohibiting any substance use disorder record disclosed or redisclosed as a result of treatment, payment, or healthcare operations from being used to initiate or substantiate any criminal charges.

Recommendation: **Support** the Overdose Prevention and Patient Safety Act (H.R. 3545). Lake County also supports the efforts of the National Association of Counties (NACo) to enact legislation that promotes parity in health information sharing, as this is part of NACO’s 2017-2018 American County Platform.

Guiding Tenet(s) of the Legislative Agenda	Value(s) of the County Board Strategic Plan
<ul style="list-style-type: none">• Promote Transparency• Mitigate Inefficiency	<ul style="list-style-type: none">• Leadership• Exceptional Service• Operational Excellence

LAKE COUNTY, ILLINOIS

PURPOSE OF THE FY2018 STATE AND FEDERAL LEGISLATIVE AGENDA

The intent of Lake County's fiscal year 2018 Legislative Agenda is to formalize the County's positions on legislation anticipated or sought to be considered by the Illinois General Assembly and the United States Congress. This Legislative Agenda is offered as a guideline for our State and Federal elected officials when considering legislation that would impact Lake County.

This agenda describes the County's proposed initiatives and/or underlying interest in specific issues. With coordination between the Lake County Board, the County Administrator's Office, the County's legislative consultants, and the Lake County legislative delegation, this agenda will help advance County initiatives and inform County positions taken on specific bills, once the legislative session begins. During session, the County Board may also consider amendments to the Legislative Agenda and adjust its position on bills.

In addition to the Legislative Agenda, Lake County also attempts to influence State and Federal policy through other avenues, such as submitting comments on administrative rule-makings, or by making direct appeals to State and Federal administrative officials. While the Legislative Agenda is not intended to direct such action, it serves as a resource to inform important County efforts.

THE LEGISLATIVE AGENDA AS A "NIMBLE TOOL"

Members of the Lake County Board agree that the issues described within this Legislative Agenda represent their collective endorsements. The Lake County Board recognizes that many other unforeseen issues will become known throughout the legislative year. While it is important to have approval from the Lake County Board for additional endorsements before any position becomes official, it is also important for the Legislative Agenda to be a "nimble tool" that appropriately supports an ever-changing landscape during the State and Federal legislative processes. As such, the manner in which the Legislative Agenda may be used to adjust and/or react to the fast-paced legislative process is outlined on the following page.

The County Board may revisit the Legislative Agenda at any point as a body, or through its Financial & Administrative Committee and Ad Hoc

Legislative Committee. The Ad Hoc Committee, with representation by the Finance and Administration Committee Chair, may be convened on an ad hoc basis with the County's legislative consultants and County staff when the following circumstances present themselves:

Legislative action is expected that would significantly impact a County policy and/or operation, which the County Board has previously provided general direction, but which the County Board had not provided specific direction. (This might occur via the Legislative Agenda or other approved policies.) As such, time-constraints may preclude the County Board from having an opportunity to provide the needed direction. In these situations, the County Board Chair, the County's legislative consultant, and County staff may turn to the Ad Hoc Committee for direction on such legislation so that the County can advocate accordingly. The County Board will be informed whenever such Ad Hoc Committee direction has been provided, and may choose to revisit such direction at a future meeting.

Amendments to the Legislative Agenda should be adopted with the goal, such that modifications require consistency, when applicable, with the criteria outlined below:

- A. Uniformity with the County Board's strategic plan;
- B. Expected relevance in the upcoming or present State and/or Federal legislative sessions;
- C. Uniqueness of issue or impact to Lake County;
- D. Viability or likelihood of achieving a goal;
- E. Opportunity for providing or preserving funding for Lake County; and
- F. High probability of metrics of success to allow the position to be removed from future legislative agendas, if achieved.

These criteria, which provide important guidance and direction, is not intended to prohibit departures in unique circumstances as determined by the County Board and/or Ad Hoc Committee, such as when adoption of a County position is important to support its regional partners, even when the legislation is otherwise of limited consequence to the County.

In addition, to accommodate any requests that may arise after approval of the Legislative Agenda, the County Board Chair and County Administrator may periodically provide legislative testimony and/or letters of support or opposition based upon any perceived benefit or detriment to Lake County. In doing so, such testimony and/or letters will be guided by the principles and values stated herein.

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LAKE COUNTY, ILLINOIS

