

Legislative Update



THE LATEST LEGISLATIVE ISSUES AFFECTING PARKS, RECREATION and CONSERVATION

March 28, 2014

#9-2014

TO: IAPD Members

**FROM: Peter Murphy, JD, CAE, IAPD President and CEO
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SUBJECT: Major Legislative Deadline Today

Lawmakers have just wrapped up one of the busiest weeks of the legislative session. As we previously reported, today marked the deadline for passing all substantive legislation out of committee in the chamber of origin. Although no legislation is ever truly dead, measures which did not make it out of committee ahead of today's deadline are unlikely to move forward.

Consequently, hundreds of bills were heard and passed out of committee over the past several days to beat today's committee deadline. Below is a roundup of this week's activities.

LEGISLATION TO ELIMINATE IMRF BENEFIT

As we reported last week, [HB 3898 \(Conroy, D.\)](#) proposes to terminate the supplemental benefit payment, i.e., 13th check, for all present and future IMRF retirees effective January 1, 2015.

Unfortunately, the bill passed out of the House Personnel and Pensions Committee earlier this week. During the hearing, the sponsor committed to amending the bill before calling it for a vote on the House floor. To date, no amendment has been filed. Because it is unlikely that the bill could be improved to address the concerns of current IMRF members and retirees, it is important to contact your Representative to express your opposition to this legislation. Also, contact IMRF at 1-800-275-4673 and tell them to continue to oppose this legislation and any amendment that affects IMRF members.

When speaking to your Representative, it is important to make sure that he or she understands that the supplemental benefit is not a "bonus" as some media reports suggest. Rather, this modest supplemental benefit was instituted more than 20 years ago to help offset inflation for IMRF retirees because, unlike employees of the State public pension systems, IMRF retirees do not receive a compounded cost of living adjustment. [IMRF's homepage](#) contains additional discussion on the history of the 13th payment that you and your Representative may also find useful.

IAPD'S ADVOCACY RESULTS IN IMPORTANT AMENDMENTS

IAPD's advocacy efforts positively impacted two significant bills before they gained committee approval this week.

As originally introduced [HB 5785 \(Franks\)](#) proposed to amend more than fifteen different statutes, including the Conservation District Act and the Downstate Forest Preserve District Act, to allow the governing boards of those entities to vote to dissolve them through local government consolidation. **At IAPD's request**, the sponsor has amended the bill **to remove forest preserves and conservation districts** from the legislation.

Another bill, [HB 5593 \(Cross, T.\)](#), attempts to address the concerns of citizens within the Plainfield Park District. As originally introduced, this legislation would have expanded that agency's board of commissioners from 5 to 9 members and allowed the mayors of the cities within the Plainfield Park District to appoint these four additional commissioners initially and in the future.

Although the legislation only affects the Plainfield Park District, IAPD is always mindful of the potential for unintended consequences and the danger in setting a precedent. As a result of IAPD's concerns, Representative Cross has amended the bill to expand the size of the Plainfield Park Board from 5 to 7 commissioners (rather than 9), which is in line with existing authority under the Park District Code. The amendment also removes the authority for other units of government to appoint members to the park board and instead gives the current State Representative and the current State Senator the authority to temporarily appoint 1 member each. Unlike the original bill which would have resulted in a park board with 5 elected and 4 appointed members, the two members appointed under the amended legislation would only temporarily hold office until next year's Consolidated Election, at which time 2 new members would be elected as they would have if the board chose to voluntarily expand.

The bill also now contains a very important "sunset clause" which will repeal the legislation after the April 2017 Consolidated Election.

While it is still uncertain whether this legislation will gain the approval of both chambers, we believe the amendment is a substantial improvement since it is now tied to existing authority for the expansion of boards under the Park District Code and removes the most objectionable provision of the original bill, namely, allowing another unit of local government to appoint members to a park board. It also makes appointed members temporary until the next election as opposed to permanent.

TWO HARMFUL BILLS REMAIN IN COMMITTEE

IAPD's advocacy efforts also resulted in two bills remaining in committee ahead of today's deadline.

[HB 5989 \(Conroy, D.\)](#) would have required all park districts, forest preserves and conservation districts to change to a July 1-June 30 fiscal year. IAPD met with the bill's sponsor several weeks ago to express our opposition and serious concerns with taking away this local decision, and she decided not to move forward with the legislation.

Another bill, [HB 5786 \(Franks, J.\)](#), proposes to extend the local government consolidation pilot program approved last year for DuPage County to every other county. This legislation would have granted all county boards the ability to dissolve units of government with appointed board members. When the bill was called for a vote yesterday, IAPD testified about our concerns with granting county boards with these extraordinary powers, and the bill failed on a 2-3 committee vote.

OTHER LEGISLATION OF INTEREST

[SB 3106 \(Connelly, M.\)](#), which passed out of the Senate Local Government Committee on Wednesday, would require a local government or school district that maintains an Internet website other than a social media or social networking website to post on its website a "mechanism" for members of the public to electronically communicate with each individual elected official of that unit of local government or school district. The intent of this legislation is similar to [HB 5623 \(Sandack, R.\)](#) upon which we reported last week. [SB 3106](#) is now on 3rd Reading in the Senate.

[HB 4216 \(DeLuca, A.\)](#), upon which we also reported last week, passed out of the full House yesterday. This legislation would subject any person who knowingly alters, destroys, defaces, removes, or conceals any public record, without lawful authority and with the intent to defraud any party, public officer, or entity, to a Class 4 felony. The bill now heads to the Senate.

[SB 2889 \(Althoff, P.\)](#) also passed out of the Senate Revenue Committee on Wednesday. As amended, this legislation would allow property tax levy rates in counties other than Cook County to be calculated beyond 3 decimal points so that the extension could be as close to the levy requested as possible.

GOVERNOR DELIVERS BUDGET ADDRESS

In addition to committee activity, Governor Quinn also delivered his annual Budget Address to the General Assembly this past Wednesday. Although the proposed extension of the temporary income tax increase has received most of the media attention, we wanted to note that during his speech the Governor also proposed the establishment of a bipartisan working group to develop a new 5-year capital plan. The possibility of another capital construction plan highlights the importance of continuing to convey a key message that we have been delivering to legislators during our Legislative Breakfasts and at the Capitol, which is the substantial dollar amount of unmet capital needs at park districts, forest preserves, conservation districts and municipal recreation agencies.

To access the address, a copy of the budget, and other information released by the Governor, [click here](#).

CONSERVATION CONGRESS REGISTRATION DEADLINE IS MONDAY

Finally, we also wanted to offer one last reminder that the registration deadline for the 2014 Conservation Congress, "Charting a Course to Protect and Preserve Our Natural Resources" is next Monday, March 31st. Sessions will be held on April 11-12 at the Illinois Department of Natural Resources headquarters in Springfield.

The event is free, but space is limited. To register for the event and to view the meeting's agenda, visit the [IDNR's website](#). A webcast of the event will be available for those unable to attend.

The House and the Senate have adjourned for the week, but both chambers will return to the Capitol next Tuesday, April 1, at Noon. Because the deadline to pass bills out of their chamber of origin is Friday, April 11th, lawmakers will be spending more of their time on their respective floors during the next two weeks as they consider legislation that received committee approval in recent weeks.

We will continue to keep you updated on the latest developments from the Capitol and will let

you know if urgent action is needed. In the meantime, if you have questions concerning specific legislation, please contact us at 217/523-4554 or visit the Public Policy page of IAPD's website.

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