



Barrington Area Council  
Of Governments

## **2017 BACOG LEGISLATIVE PLATFORM**

***Recommended 11/22/16***

The village and township members of the Barrington Area Council of Governments (BACOG) strongly support local government authority over local decision-making and the right to self-determination. The enactment of laws and regulations that preempt local authority only hinder the ability of local governments to meet the needs of residents and address community problems.

We ask the General Assembly to oppose the pre-emption of home rule powers, which is an increasingly common component of legislative initiatives and of great concern to local governments. In fact, our governments believe that home rule status should be granted to all municipalities in the State.

We urge the State to respect the role of municipal and township governments in providing services to the public, which is a responsibility our governments take on willingly and carry out effectively for our residents. BACOG opposes the preemption of local rights, such as that to make land use and zoning decisions and the right to levy and collect taxes and fees. We oppose unfunded mandates by federal or state legislative, executive, or administrative action.

BACOG member governments operate independently, responsibly and transparently, and we urge the State not to interfere with the functioning of local government or place additional undue burdens in areas such as FOIA. Instead, we ask the General Assembly to focus on the critically important State matters at hand such as the State budget, reduction of debt, tax reform and job creation.

### **PROTECT LOCAL GOVERNMENT REVENUES**

Local governments provide quality-of-life services to their residents such as police protection, fire response, parks, and roads and infrastructure. The State has a long-standing arrangement with its local governments to collect tax revenues on behalf of local governments and their residents and to turn revenues back for these purposes – and needs to honor this obligation. These moneys are *not* grants or programmatic awards.

We urge the General Assembly to protect local revenues including Local Government Distributive Fund (LGDF), Corporate Personal Property Replacement Tax (CPPRT), Motor Fuel Tax (MFT), video gaming revenues, and 9-1-1 funds and to prevent any diversion of revenues that are relied upon by local governments. Diversions made by the State in recent years have been spent on State obligations that are not even related to fund purposes, and when these funds are lost to local governments it is local residents who suffer the loss of local services. Motor Fuel Tax, 9-1-1 funds, use tax and other funds that are due to local governments should be a continuing appropriation so that funds are automatically distributed without the need for a budgetary enactment.

BACOG supports the restoration of a full 10% share of state Income Tax collections and the restoration of previously-diverted Corporate Personal Property Replacement Tax revenues. We also object to the temporary or partial withholding of any of these funds that are due to local governments.

The passage of House Joint Resolution Constitutional Amendment 36 (HJRCA36) mandates and limits how State and local governments can utilize transportation revenues and fees for transportation. Interpretation of the rules of the amendment will determine its precise impact on local communities. BACOG supports efforts to ensure municipalities have the authority to use these funds for various transportation-related activities and other initiatives to best support the needs of local communities. Funding that is due to local governments, such as LGDF, should not be used to close gaps in the State budget that are caused by the lock on transportation funds.

In the absence of federal legislation that could increase sales tax revenues to the state and local jurisdictions, the municipalities should continue to receive their usual portion of sales tax revenue collected with the State.

We oppose modifications and freezes to the Property Tax Extension Limitation Law (PTELL) that result in further restrictions on local authority. The State is urged to help by lifting unfunded mandates.

BACOG supports Congressional passage of the Marketplace Fairness Act to allow for the collection of taxes on out-of-state sales transactions.

#### REFORM LABOR STANDARDS

State mandates that increase the cost of labor used by government contribute to fewer dollars being available locally to provide services to residents. Increasing the types of contracts or categories of work that are subject to the Prevailing Wage Act also increases local contract costs for public works, and therefore increases costs for taxpayers. BACOG supports limitations on legislation that would increase labor and contract costs to local governments and significantly increasing project cost thresholds to which the Prevailing Wage Act applies.

BACOG urges the reform of collective bargaining and arbitration requirements for public employees. Reforms would include augmenting the criteria arbitrators use in interest arbitration to measure affordability of the proposals for local governments.

BACOG supports reforms to the Public Safety Employee Benefits Act (PSEBA) including the adoption of the federal definition of “catastrophic injury”. In the meantime, BACOG supports revisions in classifications to control or reduce the disability awards for more able-bodied employees.

#### SUPPORT STATEWIDE PUBLIC SAFETY PENSION REFORM

Illinois municipalities and taxpayers continue to struggle under the burden of out-of-control municipal police and firefighter pension funding obligations. We urge the State to continue to seek solutions.

While seeking long-term reform for public safety pensions is a most important goal, for now it would be beneficial to consolidate the 658 locally-held public safety pension funds into one statewide fund similar in operation to the IMRF system. This would reduce administrative costs, maximize the investment pool, and help reduce liabilities overall.

#### PROTECT ENVIRONMENTAL RESOURCES, OPEN SPACE AND GROUNDWATER

Groundwater is the sole water source for many communities in Illinois including those of the BACOG area. Although there is a great deal of groundwater below land surface, only a relatively small amount is available to extract without causing serious consequences to the aquifer system and the long-term sustainability of groundwater. The Illinois State Water Survey projects declining shallow aquifer water levels in this area through 2050.

One of BACOG's highest priorities is supporting initiatives and funding for local government research and mapping of groundwater systems, implementation of groundwater protection measures, local policy development, and public education initiatives towards a sustainable and clean water supply. Data about groundwater levels is critical to these efforts, especially in the shallow aquifer system in the BACOG area of northeastern Illinois. Stormwater management is an integral component of this work.

We urge the General Assembly to allocate funding for expanding monitoring well networks, water level monitoring, and the data development needed to ensure groundwater sustainability for future generations. BACOG also supports efforts to create dedicated State funding for these purposes.

Water supply is drawn privately or provided by local governments, and as a member of the Northwest Water Planning Alliance, BACOG supports its work to plan and manage, on a regional level and by mutual cooperation, the water supply for this five-county area in conjunction with State efforts.

Pavement sealants containing coal tar are often used to top-coat commercial and residential parking lots, driveways, bike paths, playgrounds and other asphalt pavements. Commercial sealants can contain coal tar and high levels of Polycyclic Aromatic Hydrocarbons (PAHs), many of which are carcinogenic, mutagenic and toxic, negatively affecting human health and aquatic life. The cancer risk for people living next to coal tar sealed pavement is estimated at 38 times higher, and the risk is highest for children under 6 years of age. BACOG is encouraged by communities that have already banned the sale and use of coal tar and other high PAH sealants and supports the implementation of a statewide ban.

#### SUPPORT LOCAL AND REGIONAL LAND USE, PLANNING AND ZONING

There are often conflicts between municipalities and counties over the development of land in unincorporated areas. When development is proposed, disagreements arise over the provision of services and allocation of revenues and the effects of development on surrounding neighborhoods and property values. County land use designations on properties can conflict with the planned vision held by adjoining municipalities. Residents feel the impacts of development first-hand but have little recourse when proposed land uses on unincorporated parcels are incompatible with surrounding neighborhoods and uses.

When conflicts escalate, recourse can take the form of property disconnection from a municipality, where the property becomes unincorporated county land and the county then makes decisions about future development. Alternately, the property can annex into another municipality. These actions undermine local planning and zoning, which residents rely on to protect their property values. Disconnection also undermines capital planning for other governmental districts such as schools, which rely on stability of planned land uses and densities for facility planning.

BACOG urges the General Assembly to support municipal authority in planning and zoning functions so that local plans and regulations can be implemented without disruption. We believe that municipalities should have greater authority in decision-making over properties within certain distances of municipal boundaries where residents and the provision of municipal services/resources would be affected. BACOG supports changes to the State statutes that would reconcile disconnection case law to the intent of the statutes and that would strengthen existing standards so that properties would less easily be able to disconnect from municipalities.

#### IMPROVE THE TRANSPORTATION SYSTEM THROUGHOUT THE REGION

The viability, economic vitality and character of communities depend on an efficient, high quality and environmentally sensitive transportation system in the region and State. BACOG supports state and federal funding for, as well as the dedication of significant funding from Canadian National to, the completion of

Phases 2 and 3 of the Route 14 grade separation project at the CN/EJ&E Rail Road in the Village of Barrington. The Route 14 grade separation helps to protect the environmental quality and character of the BACOG area. We also support funding for the Highway 53 extension to Route 120 in Lake County to enhance mobility and accessibility and to relieve traffic congestion in central Lake County, Route 12 and adjacent areas.

**For further information, please contact:**

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