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# **LEGISLATIVE PRINCIPLES AND POLICIES For 2017**

**January 30, 2017**



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## ABOUT THE IML

The Illinois Municipal League was founded in 1913 and has worked continuously for the benefit of municipalities. The governing board is comprised of elected officials of member municipalities.

The Illinois Municipal League:

- Provides a formal voice for Illinois municipalities in matters involving common interests, particularly legislative issues.
- Promotes competence and integrity in administration of municipal government.
- Provides municipal officials knowledge and experience to best administer their duties.
- Provides timely and informative publications, such as the *Illinois Municipal Review* monthly magazine; *Statehouse Briefings* published during the legislative session; and a bi-monthly *Legal Bulletin* sent to all municipal attorneys.
- Provides publications such as the Illinois Municipal Handbook, Illinois Municipal Directory, Zoning Handbook, etc.
- Educates members via conferences, road shows, and other educational meetings.
- Provides other member services, including the IML Risk Management Association, and staff resources.

The Illinois Municipal League reaffirms the guarantee set forth in the League constitution that membership shall be open to any city, village, or incorporated town in the State of Illinois.

It is the practice of the League to adopt a point of view regarding an issue only after extensive consideration and analysis of the alternatives. The IML recognizes that our diverse membership possesses knowledge and expertise concerning the impact of legislation and administrative policies, and that the League benefits from this expertise.

It is the general policy of the Illinois Municipal League on behalf of its member municipalities, to promote the highest standards of competence and integrity in the administration of municipal governments, to seek a just balance between federal, state, and municipal powers, and to furnish to the residents of Illinois' communities those governmental services and protections that can and should appropriately be furnished by municipal government.

## MISSION STATEMENT

For those who believe in keeping decision-making local, the Illinois Municipal League is Illinois' statewide community-focused lobbying and educational organization "whose special interest is the people" so municipalities can have a powerful resource and voice in Springfield.

## CORE PRINCIPLES

- Maintain Local Control
- Preserve Home Rule Powers
- Oppose Unfunded Mandates
- Preserve the Right of Municipalities to Decide Employee Wages and Benefits
- Protect State-Shared Revenues

## OVERVIEW

This document provides a summary of the IML's legislative principles and policies and is intended to provide a better understanding of critical issues facing Illinois municipalities.

## LEGISLATIVE PRINCIPLES AND POLICIES

### Municipal Authority

The operation of municipalities is a complex task that requires partnerships with both the federal and state government. The enactment of laws and regulations that preempt local authority only hinders the ability of municipal officials to meet the needs of residents and address community problems. Municipal officials must maintain the autonomy necessary to fulfill their appropriate responsibilities to those that elected them.

#### *To achieve this goal, IML:*

- Supports the full preservation of home rule powers afforded under the Illinois Constitution and the expansion of home rule eligibility, for cities, villages, and incorporated towns in Illinois;
- Opposes federal and state preemption of traditional local rights and responsibilities, such as the right to levy and collect taxes and fees and to make land use and zoning decisions;
- Opposes unfunded federal and state mandates on local communities either by legislative, executive, or administrative action;



- Opposes legislation to impose statewide building codes that fail to recognize the diversity and different needs of Illinois' communities;
- Supports legislation allowing for protection from creditors in a bankruptcy proceeding for instances where Illinois municipalities find themselves in need of such protection;
- Supports legislation that grants municipalities with authority to help reduce natural gas costs through natural gas aggregation programs;
- Supports legislation that provides additional tools for collecting debts owed to municipalities.

## **Municipal Revenue and Taxation**

Illinois municipalities continue to require additional revenues. The League commends the State for the provision of revenue sharing to Illinois municipalities. This successful partnership must be continued in good faith and in recognition that most of the services that benefit Illinoisans are provided by local government. Municipal governments must also have the autonomy to address their local revenue needs.

### ***To achieve these goals, IML:***

- Supports the restoration of a full 10% share of state Income Tax collections;
- Opposes any diversions of revenue that is collected by the state on behalf of local governments;
- Supports making all revenues collected by the state on behalf of municipal governments subject to continuing appropriation authority;
- Supports the restoration of previously-diverted Corporate Personal Property Replacement Tax and Local Government Tax Fund revenues;
- Supports full flexibility for municipal officials to spend municipal revenues to benefit communities. This includes broader discretion for expending Motor Fuel Tax revenues;
- Supports the repeal of the Property Tax Extension Limitation Law (PTELL);
- Opposes modifications to PTELL that result in further restrictions on local taxing authority;
- Opposes any reduction in existing municipal taxing authority;
- Opposes restrictions to municipal finance and development tools such as Tax Increment Financing (TIF), Special Service Areas, and Special Assessment Areas, and various debt instruments when the restrictions undermine the benefits that these tools provide to local communities;
- Supports the continued federal tax exemption for municipal bonds;
- Supports Congressional passage of legislation such as the Marketplace Fairness Act and Remote Transactions Parity Act to allow for the collection of taxes on out-of-state sales transactions;

- Encourages a study of alternative sources of revenue in keeping with the changing nature of the economy;
- Supports repeal of the Federal Aviation Administration rule requiring that locally-imposed aviation fuel taxes be sequestered for aviation purposes.

## **Labor Law, Compensation, and Employment Benefits**

As with the private sector, compensation and benefits decisions involving local government employees are appropriately made by the employer. Wages and benefits must balance the interests of the employee, employer, and taxpayer. The General Assembly and Governor must avoid approving policies that increase the costs of municipal compensation, benefits, and personnel without providing revenues to offset the financial obligations created by their actions. Existing state labor and employment policies must also be reexamined with the intent of ensuring that local governments can maintain personnel costs at sustainable levels.

### *To achieve these goals, IML:*

- Supports reforms to the municipal police and firefighter pension systems that meaningfully reduce the long-term financial obligations to municipal employers and protect the solvency of the systems for participating employees;
- Supports the repeal or delay of the funding penalty contained within P.A. 96-1495 that allows employee-controlled pension boards to divert state-collected local government revenues to fund pension obligations;
- Supports legislation that eliminates the practice of “pension spiking” involving vacation time, sick time, and longevity pay;
- Supports cost-saving reforms to the Public Safety Employee Benefits Act with an ideal solution being the adoption of the federal definition of “catastrophic injury”;
- Supports local control regarding the hiring, promotion, and discipline of municipal employees and opposes state interference in what are local employment matters;
- Opposes legislation that would increase pension benefits or expand eligibility for retirement and disability benefits;
- Opposes the expansion of collective bargaining rights for municipal employees;
- Opposes legislative expansion of health insurance benefits including policies that would allow retirees to opt back into municipal group health insurance plans after previously declining participation;
- Supports requiring arbitrators to base awards primarily on actual existing municipal revenues and not on other factors, such as municipal authority to increase taxes and fees or spend down financial reserves;
- Supports legislation that would reduce the number of issues subject to mandatory collective bargaining requirements;

- Opposes legislation that would require municipalities to collectively bargain personnel levels;
- Supports legislation that imposes reasonable exemptions to the Illinois Prevailing Wage Act. Opposes expansions to the Prevailing Wage Act;
- Supports reforms to the Workers' Compensation system that result in meaningful cost savings to local governments and taxpayers;
- Supports removal of the excise tax provision within the Affordable Care Act that would penalize employers that offer more comprehensive health insurance plans.

## **Intergovernmental Cooperation**

Local governments and Illinois taxpayers benefit from the broad authority that allows local governments to cooperatively pool resources and share services. Service cooperation and consolidation reduces the cost of local governments, eliminates redundancies, and appropriates resources wisely and effectively.

### *To achieve these goals, IML:*

- Supports the purpose and intent of Article VII, Section 10 of the Illinois Constitution which authorizes intergovernmental cooperation between units of government;
- Opposes legislation that restricts, modifies, or otherwise infringes upon the authority of local government to voluntarily initiate or terminate intergovernmental cooperation arrangements.

## **Meetings, Public Records, and Notifications**

The Illinois Municipal League believes that a vibrant democracy requires the active participation of an engaged citizenry. Citizens elect their local leaders and have an obligation to hold their leaders accountable. The Open Meetings Act, Freedom of Information Act, and public notification laws are essential accountability mechanisms. These laws must be balanced to consider staff obligations, personnel information sensitivities, evolving technology, and occasional abuses of the process by those seeking public information.

### *To achieve these goals, IML:*

- Opposes legislation claiming to enhance open and public meetings that in practice unnecessarily complicates the ability of a local governing body to properly communicate with the public and that discourages communications among governing body members through unproductive restrictions;

- Supports legislation that allows for statutory reporting requirements and FOIA requests to be satisfied when the information is available on the website of the municipality;
- Opposes legislation that results in duplicative posting requirements for local government information.

## **Public Safety and Crime Prevention**

Municipal governments are the primary guarantors of public safety. Cities, villages and towns are tasked with the responsibility of addressing crime and violence in our communities.

Municipalities must be well-equipped with the funding and tools necessary to carry out these essential obligations to protect the well-being of their residents.

### ***To achieve these goals, IML:***

- Supports legislation that provides additional funding for effective community policing programs;
- Supports legislation making it easier to target, prosecute and convict violent criminals, drug dealers, sex offenders and human traffickers;
- Supports legislation that enhances prison sentences for repeat gun crime offenders;
- Supports programs and initiatives that reduce the need for the incarceration of at risk youth, mentally ill and non-violent drug offenders;
- Supports legislation intended to promote drug abuse prevention, education and treatment;
- Supports programs and policies to address the growing opioid abuse epidemic afflicting our communities;
- Supports funding that equips law enforcement officials with training to de-escalate dangerous situations; and
- Supports legislation allowing for non-home rule communities to adopt crime-free housing programs.



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