

# DUPAGE MAYORS AND MANAGERS CONFERENCE



## 2016 LEGISLATIVE ACTION PROGRAM

DuPage Mayors and Managers Conference  
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## INTRODUCTION

At the start of each legislative session, the DuPage Mayors and Managers Conference focuses our efforts by selecting key legislative priorities which have significant and immediate impacts on municipalities and their residents. The Conference is pleased to share these six priorities with you in our *2016 Legislative Action Program*.

We greatly value this opportunity to give a municipal voice to the more than 1,000,000 residents of our 34 member communities. The topics selected for this year's *Legislative Action Program* reflect the needs and values of municipalities as they strive to maintain economic viability and a healthy sense of community, which are necessary to promote safe, livable, and sustainable communities. It is the Conference's desire to foster a collaborative partnership between local and state governments while working with legislators to serve our common constituents as we address these legislative priorities.

The DuPage Mayors and Managers Conference is a coalition of 34 cities and villages in DuPage County, providing a municipal voice on regional, state, and national issues.

*Legislative Priorities are those specific, immediate issues that the Conference pursues through initiating legislation, strong advocacy, and cooperation with partner organizations. Legislative Priorities are our primary legislative focus as we commence the second year of the 99<sup>th</sup> General Assembly.*

## REVENUE AND TAXATION

### Protect Local Revenue

Municipalities have made difficult decisions in order to keep balanced budgets despite skyrocketing public safety pension costs, the continued impacts of the Great Recession, and the state's budget uncertainties of 2015. The state must refrain from withholding, freezing, diverting, delaying, or reducing any state-collected local revenue streams. If local revenue is withheld in any way, municipalities will be forced to cut basic essential services, raise property taxes, or layoff critical staff to cover this loss, all to the detriment of the taxpaying residents and businesses throughout the state.

### Reform Municipal Public Safety Pensions

In 2015, the Illinois Supreme Court ruled the 2013 state pension reform was unconstitutional, compounding the growing municipal public safety pension crisis. It is vital that the legislature acknowledge this crisis and act to mitigate the burden on taxpayers while ensuring sustainable pension systems. Of critical and immediate importance, police and fire pension boards should be allowed to consolidate funds. Consolidation saves on administrative costs and results in better returns. In addition, the compliance and penalty provisions of Public Act 96-1495 must be amended. This law requires municipalities to fund pensions to a level of 90%, amortized to 2040, or risk having local revenue withheld by the state. If the high cost of current pensions is not addressed, this provision will require some municipalities to immediately increase pension funding to a point that cripples their ability to provide basic services. Municipalities cannot withstand this burden without necessary cost-saving pension reforms.

## PERSONNEL AND LABOR

### Amend the Public Safety Employee Benefits Act (PSEBA)

PSEBA was originally created to supply health insurance benefits to public safety employees who suffer catastrophic injuries in the line of duty. However, the system is frequently used to provide duplicative benefits at the expense of taxpayers, even when recipients are able to secure alternative, gainful employment with health insurance benefits. The federal definition of “catastrophic injury” must be adopted to ensure that taxpayers are no longer needlessly overcharged.

### Amend the Workers’ Compensation Act (Act)

Incremental changes to the Illinois Workers’ Compensation system have increased the burden on taxpayers to a level that is both unfair and unsustainable. Five specific reforms are sought at this time:

- Remove the Burden of Proof for the Cause of Firefighter Injuries from Municipalities

Statutory rebuttable presumption provisions put the burden of proof on the employer to prove that an injury arose from a cause outside of employment. In certain situations this presumption unfairly shifts the burden to the taxpayer to prove causation, particularly in cases where the public agency does not have access to records from an employee’s secondary employer. The Act should be changed to place the same burden of proof on firefighters as is placed on other employees.

- Require Arbitrators to Adhere to the American Medical Association (AMA) Disability Rating Guidelines

The AMA provides guidelines for rating the level of permanent impairment due to injury. However, arbitrators may give little or no consideration to the AMA ratings when provided at hearings, instead awarding greater loss of use at the expense of taxpayers. State statute should require arbitrators to adhere to the AMA guidelines.

- **Return the Length of Time Compensated to Pre-2006 Levels**  
The Act specifies the number of weeks of salary an employee shall receive in compensation for each specific injury. As of February 1, 2006, the number of weeks of compensation was increased by approximately 7%, resulting in additional taxpayer costs. Compensation levels should be returned to those granted through 2005.
- **Overturn the Workers' Compensation Commission Case Regarding Shoulder Injuries**  
The Commission has ruled that a permanent shoulder injury is viewed as "man as a whole," doubling the cost of compensation and also providing duplicative compensation for previous arm injuries. The Act should be amended to overturn the ruling and equate permanent loss of the shoulder to loss of use of the arm, which is limited to a total of 253 weeks including previous compensation.
- **Enforce the Medical Fee Schedule for Workers' Compensation Claims**  
2011 reforms established fees that medical providers may charge for treating patients with Workers' Compensation claims. However, medical providers bill at non-approved, higher rates and place the burden on the employer to calculate fee schedule reductions. Medical providers should be required to issue bills pursuant to the fee schedule.



## MUNICIPAL AUTHORITY

### Remove Barriers of Non-Home Rule Authority

The distinction between home rule and non-home rule communities should be removed to recognize the ability of all municipalities to govern themselves, regardless of population.

- **Allow Greater Flexibility with Regulations and Expenditures**  
Allow non-home rule municipalities to employ policies such as state and local funding alternatives and economic development incentives. Legislation should also allow non-home rule municipalities to assess and expend — for any government purpose — tax revenue from hotel/motel stays, sales tax, car rentals, gasoline, and natural gas utilities.
- **Allow Crime Free Housing Regulations**  
Home rule municipalities are permitted to license landlords and require periodic inspection of dwellings. Legislation should allow non-home rule communities to use this program as well.

## AIRPORT DEVELOPMENT AND REGULATIONS

### Support True Western Access

As the Elgin-O'Hare Expressway expansion project plans are finalized, the state must consider the project's impact on local residents and businesses. The state should approve a resolution supporting maximum project benefits by ensuring the new access route is a true western entrance to the airport. True western access means a direct route to the terminal, which would increase multi-modal mobility around the airport, improve quality of life for residents and businesses, and provide economic development opportunities and increased job growth in the region west of the airport.

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Village of Hinsdale	Village of Winfield
Village of Itasca	City of Wood Dale
Village of Lemont	Village of Woodridge



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an association of municipalities representing over 1,000,000 people