



COUNTY

QUARTERLY NEWSLETTER

JUNE 2022

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2022 SPRING
LEGISLATIVE
SESSION
SUMMARY



Making Rural Counties STRONGER



Counties Count!



A Message from the Executive Director

By: Joe McCoy, Executive Director

The National Association of Counties (NACo) Western Interstate Regional and Rural Action Caucus Symposium was held from May 18-20 in Anchorage, Alaska.

ISACo staff attended the Rural Action Caucus Business Meeting on May 18, 2022. Several presenters from the Biden administration and federal agencies reported on issues and initiatives critical to rural counties.

Mr. Lukas McGowan, Senior Advisor in the White House Office of Intergovernmental Affairs, conveyed the President's belief that America can't succeed unless rural places succeed. He discussed President Biden's visit to a family farm in Kankakee County with United States Secretary of Agriculture Tom Vilsack on May 11, 2022, and touched on the administration's efforts to work with the agricultural sector to address skyrocketing food prices and highlight grant opportunities in rural areas through the Rural Partners Network (more information about the Rural Partners Network is included in this *County Quarterly*).

Mr. McGowan spoke about the American Rescue Plan Act and the Biden administration's focus on expending some of those dollars on public safety, workforce programs and housing initiatives. He conveyed information about the Bipartisan Infrastructure Bill (BIL) and emphasized that the law is currently in its implementation stage. He highlighted the Build.Gov website as a new tool available to access information about the BIL. ISACo has a link to this website along with other BIL resources at www.isacoil.org.

Mr. Raphael Chavez-Fernandez, who serves as the Deputy Assistant Secretary for Intergovernmental Affairs at the United States Department of Veteran Affairs, discussed access to Veterans Administration (VA) resources, efforts to expand telehealth services, strategies to address suicide and homelessness among veterans and making veterans of all backgrounds feel welcome and comfortable when seeking services. He also talked about the development of a federal rural desk officer to help VAs by coordinating across agency programs. The need to address challenges confronting veterans obligated to travel for VA services was also a topic of discussion.

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Mr. Robert Hyman, a transportation analyst with the US Department of Transportation (USDOT), provided a detailed overview of the BIL. As previously mentioned, ISACo has resources about the BIL available on our website.

Miss Maranda Saling, a government affairs and policy specialist with the Rural Community Assistance Partnership, discussed technical assistance available to rural areas that includes assistance with grant writing to secure funding.

ISACo staff also attended conference sessions that addressed financing and technical assistance in rural counties, navigating the American Rescue Plan Act (ARPA) for rural counties, federal agency partnerships and broadband solutions for rural counties.

ISACo looks forward to working with rural counties throughout Illinois to assist them as they address the challenges and needs confronting their residents.



ISACo Executive Director Joe McCoy, NACo 1st VP and Will County Board Member Denise Winfrey, Stephenson County Board Member Samuel Newton and NACo Membership Committee Chair and Kendall County Circuit Clerk Matthew Prochaska at the WIR/RAC conference.

Will County's Winfrey Poised for NACo Presidency

Will County Board Member Denise Winfrey is set to become President of the National Association of Counties (NACo) during the NACo Annual Conference being held from July 21-24 in Adams County, Colorado. Denise currently serves as NACo First Vice President and as a member of ISACo's Board of Directors.

Denise has been an active member of NACo since 2009 and has served in multiple leadership roles during that time, including serving as a NACo Ambassador, Vice Chair of Community Economic and Workforce Development, and a member of the Healthy Counties Advisory Committee, among other roles. Winfrey was also a leading champion for the creation of the Illinois State Association of Counties (ISACo).

In remarks about her intentions as NACo President, Denise said "Everyone needs a seat at the table. My platform is one of inclusion because every voice counts regardless of whether someone is from a rural, suburban or urban area and without regard to their racial and ethnic background or religious belief. Everyone's input is valuable to creating vibrant communities throughout our state."





Rural Partners Network Assists Counties with

Navigating Federal Resources

On April 20, 2022, the U.S. Department of Agriculture (USDA) announced the Rural Partners Network (RPN), which will aim to pair federal agencies with rural communities to provide targeted assistance in navigating federal programs. The pilot program will be introduced in communities across 11 states in a two-phased approach and the second cohort will be announced later in Fiscal Year (FY) 2022. In announcing the RPN, USDA Secretary Tom Vilsack stated, "Rural America is incredibly diverse – economically, racially, culturally and geographically. What makes sense for one community may not for another. The Rural Partners Network will help com-

munities get funding for investments that create long-lasting benefits for their communities, especially those that have been overlooked in the past."

USDA is spearheading this collaborative effort between 16 federal agencies, local leaders and residents and announced a pilot cohort that includes counties in Georgia, Kentucky, Mississippi, New Mexico and Arizona.

Network staff assigned to pilot counties within each of these states will aim to address the community's specific needs and build on local assets. The staff will also be responsible for providing take-aways to the Rural Prosperity Interagen-

cy Policy Council to assist with policy development.

More information about the USDA's Rural Partners Network is available on the following page.

RURAL.gov



Rural Partners Network: Building Stronger Futures Together

Through the Rural Partners Network, rural people and communities benefit from collaborative partnerships among an association of federal agencies, staff and programs.

USDA Rural Development (RD) is leading the Rural Partners Network in collaboration with 16 federal agencies and regional commissions through the Rural Prosperity Interagency Policy Council, co-led by the White House Domestic Policy Council and USDA.



What is the Rural Partners Network?

Through the Rural Partners Network (RPN), the Biden-Harris Administration is taking action to transform the way the federal government partners with rural communities to spur inclusive, sustainable economic growth. The RPN creates an alliance of federal agencies and civic partners working to expand rural prosperity through job creation, infrastructure development, and community improvement. The RPN will improve equitable access to federal programs and funding, and help drive local economic development.

With the RPN, federal agencies are renewing their commitment to rural communities by expanding interagency collaboration and providing targeted staffing, tools, and resources.



2022 Spring

Legislative Session Summary

By: ISACo Staff

The 102nd Illinois General Assembly completed its work for the spring on Saturday, April 9, 2022. The Senate adjourned at 3:22 a.m. and was followed by the House at 6:09 a.m.

An early adjournment, almost two months prior to the usual May 31 adjournment date, allowed legislators to focus on their re-election campaigns ahead of the June 28 primary election.

During the 2022 spring legislative session, over 2,600 bills were filed compared to the over 7,000 bills filed in 2021. This excludes resolutions and proposed constitutional amendments. Several bills introduced in 2021 were also considered during the spring.

ISACo took official positions of support or opposition on legislation 115 times during the 2022 spring session.

This report provides a general overview of the more consequential and relevant legislation approved during the second year of the 102nd General Assembly.

ISACo will continue advocating in support of ISACo-introduced legislation with the intent of advancing those bills later this year.

State Fiscal Year (SFY) 2023 Budget

The House and Senate worked through the night on Friday, April 8 and into the early morning hours on Saturday, April 9 to debate and approve the SFY 2023 budget prior to adjournment.

The SFY 2023 state budget appropriates \$46.5 billion in spending and anticipates revenue collections of \$46.53 billion. Higher than expected state tax revenues along with a significant infusion of federal COVID-19 relief dollars has resulted in the SFY 2023 state budget possibly being the first truly balanced budget in almost 25 years. The bills are as follows:

HB 900 (Speaker Welch, D-Westchester/Senator Sims, D-Chicago) is the appropriation bill. *Signed into law as P.A. 102-0698.*

HB 4700 (Representative Harris, D-Chicago/Senator Sims, D-Chicago) is the Budget Implementation (BIMP) bill. *Signed into law as P.A. 102-0699.*

SB 157 (Senator Hastings, D-Frankfort/Representative Zalewski, D-Riverside) is a revenue omnibus package that includes the following tax relief provisions, none of which will negatively impact local tax collections:

- ☑ A temporary, six-month suspension (July 1, 2022 through December 31, 2022) of the state's scheduled inflationary increase of Motor Fuel Tax (MFT).
- ☑ A sales tax holiday on school supplies (August 5, 2022, through August 14, 2022).
- ☑ A temporary, one-year suspension of the sales tax on groceries, but not pharmaceuticals. The bill includes reimbursements for local units of government from the newly-created Grocery Tax Replacement Fund.
- ☑ A one-time property tax rebate of up to \$300 for specified taxpayers and a one-time income tax rebate of \$50 for single filers, \$100 for joint filers, with an additional \$100 for each dependent (up to three dependents) for certain taxpayers based on their adjusted gross income.

Signed into law as P.A. 102-0700.

Counties Benefit from Modest LGDF Increase - ISACo Priority Issue!

The county share of Local Government Distributive Fund (LGDF) revenue as a percentage of state income tax collections will increase from 6.06% of individual income tax collections to 6.16%. While this modest increase is well below the official 8% target sought this year by ISACo and our municipal partners in the LGDF coalition, the additional revenue is welcome and ISACo appreciates its inclusion within the SFY 2023 state budget.

ISACo will continue to work with our coalition partners to restore LGDF distributions to the full 10% received by counties and municipalities at the beginning of 2011.

Anti-Crime Legislation Approved

Criminal activity is on the rise and will be a significant issue during the 2022 election. The General Assembly debated several policies intended to address rising crime. Several of these policies were included in the following legislation approved by both chambers:

HB 1091 (Representative Buckner, D-Chicago/Senator Glowiak-Hilton, D-Western Springs) would create the Illinois Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers (INFORM Consumers) Act. Requires online marketplaces to collect and disclose to consumers contact and other information about high-volume third-party sellers. Amends the Criminal Code of 2012. Creates the offense of organized retail crime. Defines the offense and establishes penalties. Provides that a retail mercantile establishment that is a victim of a violation of retail theft, organized retail crime, financial institution fraud or related offenses or looting shall have certain rights. (P.A. 102-0757)

HB 1568 (Representative Vella, D-Rockford/Senator Martwick, D-Chicago) would amend the Law Enforcement Intern Training Act to require the Illinois Law Enforcement Training Standards Board to collaborate with the Illinois Community College Board and the Board of Higher Education to create a report with recommendations to the General Assembly for establishing minimum requirements for credits that may transfer from public institutions of higher education to satisfy the requirements of law enforcement and correctional intern courses. The bill also includes provisions amending the Department of Revenue Law of the Civil Administrative Code of Illinois, the Counties Code, the Illinois

Gambling Act, the Unified Code of Corrections, and the Probation and Probation Officers Act requiring programs to be established for specified officers, investigators, agents, and employees who are retiring in good standing to purchase specified badges or service firearms. Effective immediately, except that Section 15 takes effect January 1, 2023. (P.A. 102-0719)

HB 1321 (Representative LaPointe, D-Chicago/Senator Hastings, D-Frankfort) establishes a First Responder Mental Health Grant Program Act. (P.A. 102-0911)

HB 3699 (Representative Delgado, D-Chicago/Senator Martwick, D-Chicago) provides grants and financial support to assist in the identification, apprehension and prosecution of hijackers and the recovery of hijacked and stolen motor vehicles. (P.A. 102-0904)

HB 3772 (Representative Delgado, D-Chicago/Senator Aquino, D-Chicago) would provide protection for persons victimized by carjackings who receive red light or speed camera violations subsequent to the vehicle being stolen. (P.A. 102-0905)

HB 4383 (Representative Buckner, D-Chicago/Senator Collins, D-Chicago) would provide that it shall be unlawful for any person to knowingly sell, offer to sell or transfer an unserialized unfinished frame or receiver or unserialized firearm, including those produced using a three-dimensional printer, unless the party purchasing or receiving the unfinished frame or receiver or unserialized firearm is a federal firearms importer, federal firearms manufacturer or federal firearms dealer. (P.A. 102-0889)

HB 4736 (Representative Gordon-Booth, D-Peoria/Senator Peters, D-Chicago) would create the Crime

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Reduction Task Force and instructs the Task Force to develop and process policies and procedures to reduce crime in Illinois. The bill requires the Illinois Criminal Justice Information Authority (ICJIA) to establish a grant program for organizations and units of local government to create an anonymous tip hotline. (P.A. 102-0756)

The following bill was approved by the House of Representatives but was not considered in the Senate prior to adjournment:

SB 2364 (President Harmon, D-Oak Park/Representative Slaughter, D-Chicago) includes technical modifications to the Safety, Accountability, Fairness and Equity - Today (SAFE-T) Act. Several effective dates within the original law would be delayed by this bill.

Highlighted Legislation of County Interest

HB 3138 (Representative Hernandez, D-Cicero/President Harmon, D-Oak Park) would create the Judicial Circuits Districting Act of 2022. The bill divides the 3rd, 7th, 12th, 16th, 17th, 18th, 19th, and 22nd judicial circuits and the Cook County judicial circuit into subcircuits. It also amends the Circuit Courts Act to provide that, on and after December 2, 2024, the Circuit of Cook County is divided into 20 subcircuits and, beginning in 2031, the General Assembly shall, in the year following each federal decennial census, redraw the boundaries of the subcircuits to reflect the results of the most recent federal decennial census. Includes other provisions. *Signed into law as P.A. 102-0693. (No Position)*

HB 4489 (Representative Hoffman, D-Swansea/Senator Bennett, D-Champaign) would amend the Grant Accountability and Transparency Act (GATA) to provide that the requirements established under the Act do not apply to awards, including capital appropriated funds, made by the Illinois Department of Transportation (IDOT) to units of local government for the purposes of transportation projects utilizing State funds, federal funds or both State and federal funds. *Signed into law as P.A. 102-1092 (Support)*

HB 4772 (Representative McLaughlin, R-Barrington Hills/Senator McConchie, R-Hawthorn Woods) would create the County Design-Build Authorization Division in the Counties Code to provide that a county may enter into design-build contracts. Nothing in the Act prohibits counties from using a Qualifications Based Selection (QBS) process. *Signed into law as P.A. 102-0954. (Support)*

HB 5184 (Representative Kifowit, D-Aurora/Senator Wilcox, R-McHenry) makes several changes to the Veterans' Assistance Commission (VAC) law by establishing minimum funding levels, specifying that county boards can impose a separate levy for VAC funding and reducing VAC oversight by county boards. *Signed into law as P.A. 102-0732. (Opposed)*

SB 829 (Senator Morrison, D-Deerfield/Representative Stuart, D-Edwardsville) would amend the Election Code to require the State Board of Elections to provide a certified remote accessible vote by mail system for the General Election of November 8, 2022 and all subsequent elections, through which a vote by mail ballot can be delivered by electronic transmission to voters with print disabilities and through which voters with print disabilities are able to mark and verify their ballots using assistive technology. The bill further provides that election authorities shall permit voters with a print disability to receive and mark their vote by mail ballots (i) through that certified remote accessible vote by mail system or (ii) through a certified remote accessible vote by mail system provided by the election authority. *Signed into law as P.A. 102-0819 (No Position)*

ISACo created a page on our website (isacoil.org) with informative resources about the 2022 spring legislative session. If your county has questions about any of the legislation included above or within our 2022 spring legislative session materials, please feel welcome to contact us at 217/679-3368 or at info@isacoil.org.

Registration for NACo Annual Conference

The 2022 National Association of Counties (NACo) Annual Conference will be held in Adams County, Colorado from July 21-24. Participants from counties of all sizes come together to shape NACo's federal policy agenda, share proven practices and strengthen knowledge networks to help improve residents' lives and the efficiency of county government. ISACo and the United Counties Council of Illinois (UCCI) will co-host a dinner for Illinois attendees.

Registration and information about housing is available at naco.org.

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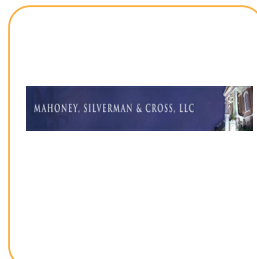
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Making the Case for a

County Administrator State Statute

By: John Phillips, Senior Advisor Illinois City/County Management Association

The following article was submitted to ISACo to convey how a professional administrator may benefit counties. ISACo is seeking input from counties as to whether the position of county administrator should be formalized within the Illinois Counties Code in a manner similar to what exists within the Illinois Municipal Code. The ultimate decision over whether a county employs a professional administrator would remain with the county. Please provide your input to Executive Director Joe McCoy at jmccoy@isacoil.org.

County governments have seen increased growth in their functions and the complexity of their operations over the years. Many have established the position of county administrator to coordinate the work of the Board and the many standing and special committees that govern the operations of the county. It is estimated that 25 counties in Illinois have added the position of county administrator to assist with this work and have assigned a variety of duties to the position. County Boards have adopted resolutions and ordinances to establish the position and codify the responsibilities of the administrators.

This move was prompted by the desire of county elected officials to identify ways to manage county government more efficiently, improve control over the use of county funds, improve coordination of the many functions of county government and provide professional advice and information to

the board to aid them in their decision-making. For example, in Henry County, with the support of staff and the leadership of the board, Kippy Breeden, Henry County Board Chair, says that Administrator Erin Knackstedt played a key role in developing a plan to expand broadband to the rural underserved areas of the county. "Administrator Knackstedt brought the players together and led negotiations to get this important legacy project moving to modernize infrastructure to improve the quality of life for Henry County residents."

Michael Buehler can attest to the importance of having a professional, apolitical county administrator. When voters elected him chairman of the McHenry County Board, Buehler had considerable experience interacting with state and county governments as a successful business owner, but he was a newcomer to elected office. County Administrator Peter Austin, he said was integral in helping him understand his role and the responsibilities of the chairmanship of the sixth-largest county by population, and a county government with a \$216 million budget. "Fortunately for me, I stepped into a finely tuned, financially sound organization that seamlessly implemented the County Board's directives. The County Administrator was absolutely essential for me to be able to successfully and confidently lead the county and focus on our strategic goals and vision. If codifying the role of the county administrator in state law gives other county governments a template to have the professionalism and dedication we enjoy, I strongly recommend it."

Although many urban and rural counties have taken the initiative to establish the position of county administrator, the position does not exist in the Illinois state statutes that establish county government. County government is a creature of the state with the structure and scope of duties and authority specified. County offices and officers authorized under the statute are identified with their duties and authority noted in detail. However, there is no mention of the position of county administrator in the statutes.

It is proposed that the statutes for county government be amended to provide county boards the option of adopting an ordinance that would establish the position of county administrator. This is proposed for the following reasons:

1. Authorizing the county administrator position in the Illinois statutes for county government would recognize the reality of the existence of the position. It has been established in many counties in Illinois and has become an essential element of effective county government administration.
2. It would provide an established set of duties and responsibilities (subject to county board modification) that would clarify the role of administrators and help avoid conflicts and overlapping duties.
3. It would serve as a guide for county boards considering adding the position by providing the clear range of duties and responsibilities of the position as well as the hiring and termination provisions. Currently counties must generate their own ordinances without guidance from the Illinois statutes.
4. It would make Illinois county government a more attractive option for professionally trained and experienced administrators. It would

institutionalize these positions and grant the position credibility within the structure of county government. It would highlight the important role the position plays in many counties in Illinois.

According to the National Association of Counties, (NACo) there are over 1,300 counties with county administrators in the country. The trend toward appointing administrators accelerated in the 1970s and 1980s. "With increasing county populations and county responsibilities combined with the dramatic rise in the number of federal programs and unfunded mandates in the 1970s and 1980s, a growing number of counties opted to transfer and consolidate the daily management responsibilities under a county administrator structure." (Source: An Overview of County Administration Appointed County Administrators, NACo Trends, June 2015) Thirty-four (34) of the 43 states with appointed county administrators have current statutes sanctioning this function. Most states do not mandate the position but authorize the county board to adopt the position by resolution.

Duties for county administrators typically include administering county ordinances, preparing the budget and appointing and supervising staff who are not appointed and supervised by the elected officials. The administrator must carry out directions and policies of the board and provide reports to the board. They provide information upon request to individual members of the board, committees of the board and the full board. They often implement a capital budget and maintain a centralized budget process. With direction from the board, they may have responsibility to negotiate leases, contracts and other agreements.

Overseeing IT and GIS systems often falls to the county administrator as does general responsibility to maintain county property and protect other resources. They must attend county board and committee meetings and represent the county in intergovernmental activities as required by the board.

The proposed statute specifies that the role of the county administrator is administrative or ministerial in nature and the county board retains their authorized statutory authority as policy makers. In addition, the statute allows the county board to modify the scope of duties to reflect the unique needs in their county.

Appointment is made by the majority vote of the county board. Likewise, removal of the county administrator at any time can be accomplished by the board. The statutes call for the county administrator to be appointed on the basis of merit and give due regard for training, experience and administrative ability. No consideration should be given to the political affiliation of the individual selected.

Illinois should acknowledge this important move toward more professional local government management in the state by adopting a state law that gives county boards the option to adopt a provision from the state statute that establishes the position of county administrator. This move would make it easier for counties wanting to establish the position to do so and would help attract experienced and trained professionals to Illinois to serve in these important positions.

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