Air Quality and Energy -- Laura Kratz & Di Niesman

ILLINOIS
Governor Rauner signed HB2831 Property Assessed Clean Energy (PACE) on August 11, 2017. As reported last month, PACE allows counties or municipal governments to establish programs that provide financing for the upfront costs of energy efficiency and renewable energy projects. The costs are then repaid through an assessment on the property tax bill for the property where the improvement has been made.

The National Resources Defense Council (NRDC) has named Illinois the 3rd worst state in the nation for air quality. 80% of the residents deal with a combination of high ragweed pollen and excessive ozone days.

U.S. Sen. Dick Durbin is calling on federal environmental and public health regulators to conduct a new assessment of toxic pollutants on Chicago’s heavily industrialized Southeast Side. On July 27, 2017, Durbin sent separate letters addressing emissions of petroleum coke and manganese to leaders of the U.S. Environmental Protection Agency, Centers for Disease Control and Prevention, and S.H. Bell Co. (a company that stores bulk amounts of industrial materials along the Calumet River).

LWVIL, and especially the Climate Change Issues Specialists, are sorry to learn that IL state representatives Elaine Nekritz (D) and Mike Fortner (R) will not be seeking re-election. Both friends of the environment, their moderate, bipartisan voices will be missed and hard to replace. Nekritz and Fortner were co-sponsors of HB2607, the Clean Jobs bill that led to the eventual passage of the Future Energy Jobs Act in response to President Obama’s Clean Power Plan.

FEDERAL NEWS
Update on LWVUS Amicus brief and the Our Children’s Trust Climate Change Lawsuit
From a report prepared by Eleanor Revelle, Chairman, LWVUS Climate Change Task Force:

*The 9th Circuit Court of Appeals has ordered a temporary stay in the proceedings of the Juliana et al v. United States climate lawsuit while it considers a petition from the Trump administration that it review the November 2016 decision by District Court Judge Ann Aiken to allow the lawsuit to go to trial. The attorneys for the 21 youth plaintiffs have been ordered to file an answer to the Trump administration’s petition. And Our Children’s Trust (OCT) has requested that the Leagues (LWVUS and LWVOR) submit an amicus brief in support of the plaintiffs’ response.*

The LWVUS and LWVOR filed an amicus brief in support of the plaintiffs when the case was before Judge Aiken in the District Court in fall 2016. Courtney Johnson with the Crag Law Center will be drafting a new brief for us now. The basic premise for the Leagues’ brief is our organization’s interest in protecting the rights of everyone in the democratic process. When the political process fails, as here, to protect the rights of children, then the courts must step in to secure those rights. The government has been debating climate change for so long, we’ve now reached a tipping point, and this case must move forward on the merits and not get bogged down in procedural issues. These children’s rights are at stake, and time is of the essence. As before, with the 2016 amicus brief, the League of Women Voters of Oregon has agreed to collect contributions towards the costs associated with drafting and submitting the brief, about $3,000. I invite you to join me in making a contribution towards this effort. If you can help, please send your check to League of Women Voters of Oregon 1330 12th St. SE, Suite 200 Salem OR 97302-2858 Include a note indicating that it is to support the amicus brief in the OCT climate lawsuit. The LWV of Oregon consolidated into a 501(c)(3) organization in 2015; therefore your contribution is tax-deductible. Thank you!
Background about the climate lawsuit and the Public Trust Doctrine on which it is based, as well as a detailed timeline of key events in Juliana et al v. United States, is available in the LWVUS Toolkit for Climate Action.  
http://participate.lwv.org/c/9217/p/salsa/web/common/public/content?content_item_KEY=10275

Consolidation of Government -- Jane Ballengee

Report from the 8/17/2017 Transform Illinois Coalition Meeting

Transform Illinois will be having their Conference and Awards program on Oct 19 in the morning. It will be at the Com Ed Commercial Center in Oakbrook. They are planning 2 national speakers for the presentation. They would like each member group to register at least 20 people. The attendance is free. They will be letting us know how to register for the program.  
This will also be their opportunity to recognize individual work. They are looking for Transformers who have “Simplified processes to reduce administrative burden”:

- Collaborated with neighboring governments to leverage efficiencies;  
- Deployed technology to streamline and speed operations;  
- Developed and uses metrics and performance assessment tools or processes;  
- Changed policies or legislation resulting in cost savings and/or high level of service.

If you know of someone you can go to the website to fill out the form.

Primary discussion was around the Governor signing SB3. SB3 expands the DuPage, Lake and McHenry Counties consolidation program to all 102 counties in the state. In addition, the Governor signed HB607, which will allow township trustees in a county with fewer than 3 million inhabitants to offer a referendum where the electorate can decide whether to abolish the road district in their county. Cook County townships already have this power.

The group discussed next steps to educate through guidance, hands on training, followed by citizen training: How to Kick Start a program and possibility of developing a webinar.

Chad Shaffer discussed the County-Appointed Entity Report. He discussed that the report was just the beginning and there needs to be more discussion on objectives before they continue a more in-depth analysis.

Mr. Msall indicated the Lake County Commission was reviewing how and where to focus. He indicated Fire Districts and School Districts were ripe for review but also indicated they had very strong organizations to fight against consolidation.

BGA is looking at school Districts that have gone thru consolidation searching for the pros and cons. They hope to have some results in approximately 2 months.

Frank Haney, Winnibago County Chair, indicated that we need to develop an environment of safety in discussing consolidation and service sharing.

Transform Illinois plans to have their next meeting around the first week in October.

Criminal Justice -- Janet Kittlaus

1. These bills still await the Governor’s signature
   HB303 (Civil Asset Forfeiture Law Reform—offers more protection for innocent parties and greater reporting requirements.)
   HB0375 (requires probation officer to undergo Crisis Intervention Team training)
   HB0514 (requires immediate sealing of a record of arrest or charge if result is acquittal or dismissal)
HB0698 (creates the Prisoner Entrepreneur Education Program to teach business skills and enable successful reentry into society)
HB2373 (expands record sealing eligibility)
HB2987 (ensures that Illinois youth who are or were homeless, in foster care, or court-involved to have a chance to get the jobs and internships they are qualified for and need)
HB3165 (requires that training of juvenile personnel include restorative justice courses)
HB3712 (helps men and women in prison to get access to tablets that will be used expressly to educate, hone skills, and video visit loved ones)
HB3817 (expands automatic expungement and strengthens confidentiality of juvenile records)
HB3903 (does not allow a place of detention or criminal processing on school grounds)
SB1688 (improves occupational licensing opportunities by creating a transparent and fair licensing process that looks at license applicants’ rehabilitation along with criminal history.
SB1781 (expungement or sealing fee waiver pilot extended)

2. **HB2738** (allows video visitation in prisons to enable those in prison to maintain relationships with loved ones) has been signed by the Governor (PA100-030.)

3. The West Side Chicago neighborhood of North Lawndale will host Cook County’s first Restorative Justice Community Court, or RJCC, a program that brings defendants in contact with their victims and allows the victims to set the compensation for the crime. This will be the first restorative justice court in Illinois. The program is funded for the first year and a half by a $200,000 grant from the Department of Justice Bureau of Justice Assistance. The program will begin with 100 defendants who are between18 and 26 and charged with nonviolent crimes. Restorative justice works in this way: Both the victim and the defendant would agree on an appropriate remedy, and once the defendant meets his responsibility by paying restitution or performing community service or both, the court would dismiss the charges, keeping the defendant out of prison and free of a criminal record.

**Education -- Jean Pierce and Claire McIntyre**

**SB1: Evidence Based Model:** On August 1, Governor Rauner used an amendatory veto (AV) to make numerous changes to SB1. Senate President Cullerton had retained SB1 until July 31 allegedly to give the governor time to reconsider his threat of a veto, to try to negotiate terms to which the governor could agree, and to give the General Assembly time to gather votes needed to override the veto.

On August 14th, the IL Senate passed an override of the AV (38-19) with one Republican vote. The House has 15 days from that date to pass an override.
Representative Barbara Flynn-Currie introduced SB1947 HFA 3, which included the governor’s changes to SB1. As many legislators have indicated concerns about some of the governor’s changes, speculation is that Speaker Madigan will call the bill to force Republicans to vote against the governor’s changes before they vote to support his AV to SB1. Currently the House is short the 4 votes needed to override the AV. Some Republican legislators have indicated a preference for writing a new bill rather than passing SB1.

After initially expressing concern over what Governor Rauner termed ‘a Chicago bailout’ because of two clauses in the bill which would allow CPS to retain its block grant for a year and to receive $250 million in pension support, his amendatory veto went much deeper and substantively changed the bill in ways that will cause districts across the state to lose money as early as 2018.

The basic changes include:
- Requiring districts to report TIF and PTELL as part of the Equalized Assessed Valuation in their calculations of local effort. The effect would be to artificially inflate the EAV of most districts thereby reducing the funding they would receive from the state. This would be particularly harmful to needier districts where TIF districts tend to be clustered.
From the Center for Tax and Budget Accountability: In total, of the $313 billion in equalized assessed value (EAV) of property wealth in Illinois, $12.4 billion is in a TIF district, as of 2015. It moves the districts away from adequacy by going from a ‘district funding’ to a ‘student funding’. SB1 as passed works to hold districts harmless (retains them at their current funding level) while moving all districts towards adequacy. This means that new funding goes to districts furthest away from adequacy first while those districts at or above adequacy are held at their current level and receive less in new funding. But the basic tenet is that ‘No one loses. No exceptions’. This makes sense as districts are in the state are currently $6.5 billion away from adequacy.

The AV change to per student funding means that, as the district loses students, the hold harmless no longer applies and the district loses funding. Under SB1, student loss is accounted for by retaining the hold harmless but less new money goes to the district to account for the student population reduction. Again, this makes sense districts since are woefully underfunded.

The AV eliminates the adjustment for inflation that SB1 contains, thereby effectively freezing all education costs (salaries, supplies, technology, etc.) at 2017 levels.

Regionalization of costs: Under SB1, the formula reflects regional costs in providing education. The AV lowers the regionalization cost for 313 districts in Cook and the Collar counties, forcing them to pay more through property taxes and lowering state funding. This will prevent lower income districts in these counties from reaching adequacy.

Pension cost shift: The AV eliminates the normal cost pension protections contained in SB1. Over time, this will require school districts to utilize local resources to cover pension costs rather than educate children.

**Actions:** LWVIL and local Leagues participated in public education sessions and press conferences in cooperation with Advance Illinois. In addition, we sent a TFA targeting League members in districts of Representatives who might be persuaded to override the AV.

In cooperation with Stand for Children, LWVIL President Bonnie Cox has recorded a robo-call asking citizens to urge their representatives around the state to override the Governor’s veto.

**Other:** There has also been negotiation concerning SB1. A bipartisan committee from both Chambers began negotiations, which broke down quickly. One of the changes promoted by Sen. Jason Barickman is to add vouchers to the agreement in the form of a $100 million tax credit. In addition, private citizens would be able to take a direct credit of up to $1 million a year for donating to a fund dedicated to private school vouchers. The $100 million figure would be allowed to grow at a rate of 25% per year and has no cap. The tax credit would have a direct impact on the General Fund, leaving less to be directed to public schools or other parts of the budget discretionary fund. LWVIL’s school position opposes using public funds for private education.

**Health Care Issues Report -- Janet S. Craft, Margaret O’Hara**

**Legislation**
The Better Care Reconciliation Act (BCRA), the Senate bill to replace the ACA failed to pass July 28. LWVUS called it a “nastier version” of the House bill passed in May.

Despite Trump administration threats to stop ACA subsidies, the August payment will be made, continuing month to month uncertainty. Insurers are making final adjustments to rates this week, preparing for final decisions whether to sell ACA plans for 2018.

The White House is pressuring Congress to try again; several groups of legislators are working on new bills. Sen. Lamar Alexander, (R-TN) Chair of the Health Committee starts Senate Hearings Sept. 4 with the goal of stabilizing and strengthening the individual insurance markets for at least one year. When the Senate returns from recess, other work as the debt ceiling may preclude new action on a health bill.

**LWVIL Action:**

*July League Leaders: health advocacy information for local leagues*
Reproductive Health
The Amended Health Care Right of Conscience Act became law a year ago. Implementation was affected first by a state court decision that applied to just three Crisis Clinics. Recently a federal judge ruled that the law not be enforced statewide until other freedom of speech suits are settled.

HB40 -- Governor Rauner reaffirmed his opposition to the bill last week. Bill protects right to legal abortion in Illinois despite any future Supreme Court decisions; covers abortion services for Medicaid and state employees. Bill held for reconsideration after passing both Houses in May, buying time for continued advocacy. Bill likely to be sent to Governor by end of month.

LWVIL Action
7/20, 8/18 TFA: call Governor to sign HB 40

Mental Health Issues -- Judi Szilak
- June 19, 2017 House subcommittee on Substance Abuse Hearing in Dixon highlighted benefits of local law enforcement partnering with human services providers to address local problems such as the effect of the opioid epidemic on the community. Contact with a House staffer suggests the subcommittee is open to more hearings. Discussion with Executive Director of McHenry County Mental health Board Scott Block shows there is interest in McHenry County for such a hearing. There is no evidence of any new money from the state for such initiatives but McHenry County is using local mental health dollars to help hire social workers to work for police departments including the Sheriff’s department.

- HB1786 would amend Children’s Mental Health Act of 2003. Creates local mental health collaborative. Would not add additional state funding but might bring additional federal matching funds i.e. Medicaid. BILL STATUS: 3/31/2017 Re-Referred to Rules Committee