

The **Bulletin**



Publication of the Illinois Firefighter's Association, Inc.

Volume 73, Number 1

January - February 2019

FIRE LINE - DO NOT CROSS FIRE LINE - DO NOT CROSS FIRE LINE - DO NOT CROSS FIRE LINE - DO NOT CROSS

Ribbon Cutting For New Cornerstone Trailers



To better train firefighters around the state, the Illinois Fire Service Institute is releasing new mobile trailers. Each of the four trailers contain equipment essential for local fire departments to train with at no cost. 70 percent of firefighters in Illinois are volunteer-based and don't have many resources. These trailers will help them get that hands-on experience. The trailers were purchased with state funding from the Illinois State Fire Marshal and IFSI Cornerstone Project.

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The Bulletin

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Mission Statement

Dedicated to the advancement of the Fire Service by providing leadership. The Illinois Firefighters Association will proudly support the health and welfare of the community of firefighters in Illinois through education, training, benefits and information networking at the local, state and national levels.

President's Message



Dear Fellow Firefighters:

Welcome to a new year and all the awesome responsibilities that go along with your job, being a Firefighter. This is the time of year most departments renew their required mandatory refresher training to meet IDOL's mandates. The Firefighter's job is never ending training and is continuous if you are going to keep yourself and fellow firefighters safe. We lost another brother firefighter a few days ago in Clinton, Iowa, from an explosion, this should be a reminder of the dangers we face every day as a firefighter.

We already know that we are in one of the most stressful occupations there is, but one of the most rewarding also. We must not become complacent with our training and continue to train and recognize and mitigate those threats before us. I hope everyone takes advantage of all the training opportunities you have not only in-house, but at IFSI also. Winter Fire School is being held soon and the Cornerstone Program will deliver training right to your doorstep. Illinois has one of the best means of delivering training to all fire departments in the state and in most cases free!

I just returned from the ribbon cutting ceremony at IFSI for four training trailers to be deployed around this state. IFSI received a grant from our State Marshal's Office to purchase those trailers. They were badly needed and this will help deliver supporting equipment for training in the regional areas around this state. This will end much of the deployments from one spot at IFSI and the difficulty in getting them back again to IFSI. This will not only help reduce the cost in deployment but will make it more efficient in delivering support equipment to where you need and when you need it. I took pictures during the ceremony and I have some of them in this bulletin. We want to give a BIG thanks to our Fire Marshal Perez and his staff for the recognition of this very important initiative.

As you know now, we have a new administration in place under a one-party majority, hopefully, there will be no gridlock in the future. We are looking at the Volunteer Enhanced Cancer Disability Law that was passed in New York and Georgia. It became effective as of January 1st of this year. This type of benefit for the Fire Service will help dramatically for those firefighters that fall victim to cancer. We all know of the increasing risks we take every day doing our job. Even with Best Practices, there will always be a chance that we may fall victim to cancer. The Illinois Firefighters Association along with the Firefighters Cancer Support Network are working hard to get the word out to all about Firefighter Cancer Awareness. We will be instructing classes all around this state in a few months. Train The Trainer classes are already being taught and you will be getting more information about these classes in the near future. Remember to GO GREEN CLEAN and the use of Best Practices to lower your risks. I am looking forward to this year and are excited to see the new IFSI Driving Simulator in use. It will be deployed around this state for everyone's benefit. You will all need to have your prerequisite classes done before you request it to your area. Those classes are available online in three levels depending on your driving expertise. Please get with your Regional IFSI representative in your area and get final instruction on those classes.

So far now, *"Train Smart, Be Safe"*

God Bless

John Swan President IFA



LEGISLATIVE UPDATE

By Margaret Vaughn, IFA Legislative Lobbyist

NEW ERA BEGINS in SPRINGFIELD

On January 9th, over 45 new legislators were sworn in (a handful had been appointed to fill someone else's term and then were elected for the first time in November) and a few representatives moved over to the Senate. The list of current legislators is on the following pages. The Democrats now have supermajority once again in the House, which means they will not need any GOP votes to override the Governor's vetoes. At press time the General

Assembly has only one met one day since being sworn in and the Committee assignments have not yet been made but everything will soon be in full swing with the bill introduction deadline is Feb. 15th

Governor Pritzker was sworn in as the 43rd Governor of Illinois on January 10th. He aims to work in a bi-partisan manner and already appointed a former republican legislator David Harris, to be the director of the Department of Revenue. More appointments will be forthcoming, but **IFA would like to congratulate Fire Marshal Matt Perez who has been asked by the new administration to continue to his service as State Fire Marshal.**

OSFM FILES RULES TO UPDATE LIFE SAFETY CODE

The Office of the State Fire Marshal filed rules to update to the 2015 NFPA Life Safety Code on January 4th. Here is a link to the rules http://www.cyberdriveillinois.com/departments/index/register/volume43/register_volume43_issue1.pdf. The First notice public comment period runs through Feb. 17th and comments can be submitted to: OSFM Attn: Cathy Stashak 100 W. Randolph St., Suite 4-600 Chicago, IL 60601 http://www.cyberdriveillinois.com/departments/index/register/volume43/register_volume43_issue1.pdf. OSFM held a series of public hearings: Tuesday, January 29, 9:00 a.m. John Logan College in Carterville, Jan. 30th at 1:00 pm. at OSFM in Springfield and Feb. 5th at 9 am at Des Plaines State Office Facility 9511 Harrison Street in DesPlaines.

SAVE THE DATE – APRIL 10th – FIRE OFFICIALS DAY in SPRINGFIELD

Details will be forthcoming but save the date for Wed April 10th for Fire Officials Day in Springfield. We are hoping to serve the Governor's Mansion for the legislative reception but that can take the reservation until sometime in February.

Plan now to attend the

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held at the

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Watch future issues for more info

Persons Elected to the 101st General Assembly Senate

New members

District

8 Ram Villivalam (D)
9 Laura Fine (D)*
24 Suzy Glowiak (D)
27 Ann Gillespie (D)
45 Brian Stewart (R)*
50 Steve McClure (R)
54 Jason Plummer (R)
56 Rachelle Aud Crowe (D)
57 Christopher Belt (D)

Appointed to 100th General Assembly, elected to the 101st

District

17 Elgie R. Sims, Jr. (D)*
32 Craig Wilcox (R)
33 Donald P. DeWitte (R)
41 John F. Curran (R)

Incumbents re-elected or continuing in 4-year terms

District

1 Antonio "Tony" Munoz (D)
2 Omar Aquino (D)
3 Mattie Hunter (D)
4 Kimberly A. Lightford (D)
5 Patricia Van Pelt (D)
6 John J. Cullerton (D)
7 Heather A. Steans (D)
10 John G. Mulroe (D)
11 Martin A. Sandoval (D)
12 Steven M. Landek (D)
14 Emil Jones, III (D)
15 Napoleon Harris, III (D)

16 Jacqueline Y. Collins (D)
18 Bill Cunningham (D)
19 Michael E. Hastings (D)
20 Iris Y. Martinez (D)
22 Cristina Castro (D)
23 Thomas Cullerton (D)
25 Jim Oberweis (R)
26 Dan McConchie (R)
28 Laura M. Murphy (D)
29 Julie A. Morrison (D)
30 Terry Link (D)
31 Melinda Bush (D)
34 Steve Stadelman (D)
35 Dave Syverson (R)
36 Neil Anderson (R)
37 Chuck Weaver (R)
38 Sue Rezin (R)
39 Don Harmon (D)
40 Toi W. Hutchinson (D)
42 Linda Holmes (D)
43 Pat McGuire (D)
44 William E. Brady (R)
46 David Koehler (D)
47 Jil Tracy (R)
48 Andy Manar (D)
49 Jennifer Bertino-Tarrant (D)
51 Chapin Rose (R)
52 Scott M. Bennett (D)
53 Jason A. Barickman (R)
55 Dale A. Righter (R)
58 Paul Schimpf (R)
59 Dale Fowler (R)

* These members were elected to the House in the 100th
General Assembly and elected to the Senate in the 101st.

Persons Elected to the 101st General Assembly House

New members

District

| | |
|-----|------------------------------|
| 1 | Aaron M. Ortiz (D) |
| 4 | Delia C. Ramirez (D) |
| 5 | Lamont J. Robinson, Jr. (D) |
| 17 | Jennifer Gong-Gershowitz (D) |
| 25 | Curtis J. Tarver II (D) |
| 38 | Debbie Meyers-Martin (D) |
| 42 | Amy L. Grant (R) |
| 48 | Terra Costa Howard (D) |
| 49 | Karina Villa (D) |
| 53 | Mark L. Walker (D) |
| 58 | Bob Morgan (D) |
| 59 | Daniel Didech (D) |
| 61 | Joyce Mason (D) |
| 64 | Tom Weber (R) |
| 65 | Dan Ugaste (R) |
| 67 | Maurice A. West II (D) |
| 76 | Lance Yednock (D) |
| 89 | Andrew Chesney (R) |
| 99 | Mike Murphy (R) |
| 101 | Dan Caulkins (R) |
| 107 | Blaine Wilhour (R) |
| 109 | Darren Bailey (R) |
| 110 | Chris Miller (R) |
| 118 | Patrick Windhorst (R) |

Appointed to 100th General Assembly, elected to the 101st

District

| | |
|----|------------------------|
| 21 | Celina Villanueva (D) |
| 27 | Justin Slaughter (D)* |
| 34 | Nicholas K. Smith (D) |
| 47 | Deanne M. Mazzochi (R) |
| 57 | Jonathan Carroll (D) |
| 70 | Jeff Keicher (R) |
| 85 | John Connor (D) |

| | |
|-----|-----------------------|
| 104 | Michael T. Marron (R) |
| 111 | Monica Bristow (D) |

Incumbents re-elected

District

| | |
|----|----------------------------|
| 2 | Theresa Mah (D) |
| 3 | Luis Arroyo (D) |
| 6 | Sonya M. Harper (D) |
| 7 | Emanuel "Chris" Welch (D) |
| 8 | La Shawn K. Ford (D) |
| 9 | Arthur Turner (D) |
| 10 | Melissa Conyears-Ervin (D) |
| 11 | Ann M. Williams (D) |
| 12 | Sara Feigenholtz (D) |
| 13 | Gregory Harris (D) |
| 14 | Kelly M. Cassidy (D) |
| 15 | John C. D'Amico (D) |
| 16 | Lou Lang (D) |
| 18 | Robyn Gabel (D) |
| 19 | Robert Martwick (D) |
| 20 | Michael P. McAuliffe (R) |
| 22 | Michael J. Madigan (D) |
| 23 | Michael J. Zalewski (D) |
| 24 | Elizabeth Hernandez (D) |
| 26 | Christian L. Mitchell (D) |
| 28 | Robert Rita (D) |
| 29 | Thaddeus Jones (D) |
| 30 | William Davis (D) |
| 31 | Mary E. Flowers (D) |
| 32 | André Thapedi (D) |
| 33 | Marcus C. Evans, Jr. (D) |
| 35 | Frances Ann Hurley (D) |
| 36 | Kelly M. Burke (D) |
| 37 | Margo McDermed (R) |
| 39 | Will Guzzardi (D) |

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New Year Benefits for Illinois Firefighters from California Casualty

Welcome to 2019.

California Casualty, provider of the IFA Auto and Home Insurance program since 2012, wishes all Illinois first responders a happy and prosperous New Year. Now's a great time to learn about the value IFA membership offers, from promoting advanced fire-training education, advocating for the health and welfare of firefighters and lobbying for pay and benefits. Membership also gives access to discounts and unique services.

As an endorsed partner, you can count on California Casualty for these exclusive benefits that are not available to the general public:

- 1. Waived Deductibles.** California Casualty reduces the deductible up to \$500 if your vehicle is vandalized or hit when parked where you work as a firefighter.
- 2. Personal Items in Your Vehicle.** California Casualty includes \$500 coverage for personal property (including turnout gear and safety equipment) stolen from or damaged in your vehicle.
- 3. Fallen Hero Benefit.** California Casualty waives the insurance premium for the current year and the following year for the surviving spouse or partner of an insured firefighter who dies in the line of duty.
- 4. Identity Protection.** Each policy with California Casualty comes with FREE ID Theft protection and resolution services from CyberScout.
- 5. Flexible Payment Options.** Whether you like to pay one bill or do monthly installments, California Casualty lets you choose what works best for you. You can also choose summer or holiday skips to maximize your budget for the times when you need the money for other things.
- 6. Insurance for Your Pets.** Every auto insurance policy also provides up to \$1,000 pet injury protection for your pet riding in your vehicle. California Casualty's partner, Pets Best, also offers reduced rates for pet health insurance.
- 7. Custom Parts and Accessories.** California Casualty covers up to \$2,000 for things you've added to your truck or van like custom rims, roll bars and furnishings, and bed liners. California Casualty can also insure your motorcycles, boats, RVs, and line you up with flood insurance. IFA partnered with California Casualty because of our extraordinary customer service, exceptional claims handling, and unique coverages tailored to firefighters and first responders.

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This article furnished by California Casualty, providing auto and home insurance to firefighters since 1974 and to IFA members since 2012. Get a quote at 1.800.800.9410 or www.calcas.com/IFA.

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The Bulletin

Bruce Rauner, Governor

Matt Perez, State Fire Marshal



Office of the State Fire Marshal

The OSFM has proposed amendments to our administrative rules that updates the adopted state fire prevention and life safety code from the National Fire Protection Association (NFPA) 101, *Life Safety Code* (2000 edition) to the National Fire Protection Association (NFPA) 101, *Life Safety Code* (2015 edition), with additional modifications.

While many of the requirements for existing occupancies under the newer provisions of NFPA 101 remain the same as those contained in the 2000 edition, using an outdated NFPA 101 may negatively impact the design and construction of new buildings. The updated edition of NFPA 101 benefits from new methods, technologies, and lessons learned from real-life incidents resulting in refined and improved life safety-related requirements, which sometimes have the added benefit of being less expensive than current requirements. The updated NFPA 101 also considers evolving social concerns associated with delivery of both acute care and long term health care, security, and accessibility. OSFM personnel are active participants in the NFPA codes and standards development process, particularly with respect to fire and life safety as addressed in NFPA 101. The staff has submitted proposals that were successfully included in newer editions of the NFPA 101, generating a positive outcome for many new and existing occupancies, as well as Illinois' residents and visitors.

Our proposed rules changes were published in the Illinois Register on Friday, Jan. 4, 2019. Links to the text of our proposed rules, as well as fact sheets that relate to the proposed rules changes that we encourage everyone to review can be found on our website at:

<https://www2.illinois.gov/sites/sfm/Resources/Pages/Proposed-Rule-Changes.aspx>

To get a better sense of the impact that these proposed changes may have on your community, we specifically direct you to the following OSFM fact sheets: *What is the Life Safety Code? And Why is the OSFM updating the Life Safety Code?* and *Where Does the Life Safety Code Apply?*

Authority and Applicability

The Fire Investigation Act (425 ILCS 25) gives the OSFM the authority to adopt a statewide fire prevention and life safety code. This statute was enacted by the State legislature in 1909, and since that time the OSFM has either prescribed fire prevention and safety requirements under the old "Gray Book" or those identified in NFPA 101. NFPA 101 was first adopted by the OSFM in 1988. The currently adopted 2000 edition was adopted on January 1, 2002. Local units of government are responsible for enforcing the rules adopted by OSFM, except in those localities that have adopted rules or standards that are "equal to or higher" than the rules adopted by the OSFM.

*A note about statewide applicability – the OSFM does not believe that the Fire Investigation Act requires local units of government to follow OSFM's code if they have asserted their home rule exemption status (via ordinance). For further clarification, see the OSFM fact sheet *Where Does the Life Safety Code Apply?*

Comments

If you have a specific comment or question on the rulemaking that you wish to make, you may send that to: Office of the State Fire Marshal

Attn: Cathy Stashak
100 W. Randolph St., Suite 4-600
Chicago, IL 60601
Or by facsimile, Attn: Cathy Stashak, to 312.814.3459.

Please review the information at the website prior to sending in questions or comments, as the available fact sheets should answer the most frequently posed questions.

Blackhawk Firefighters' Association Fire & EMS Conference 2019

April 27th, 2019

Class Fees: BFFA Member \$50 / non - BFFA Member \$75 – Lunch included

Location: Amboy High School - 11 E. Hawley St. Amboy, IL 61310

TO REGISTER:

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<https://www.facebook.com/ilbffa>

or Scan the below QR with a scanner app on a smart phone or tablet for registration page.



If you cannot access the online registration page, please contact Ashley Bryant
Office: (815) 857-2325, Cell: (815) 677-1055, Email: ashley@amboyfire.com

F101*: The Coordinated Fire Attack Captain Jason Demas and Jeff Bryant Jr - Aurora

F102*: Recognizing the Warning Signs of Flashover and Fire Behavior Lt Nick Dinges - Sublette, Deputy Chief Mark Callison and Chief Tim Shipman - Dixon, Chief Pete Van Dorpe-Algonquin-Lake in the Hill

F103*: First Rung Firefighter Lt Mike Kucaba - Northwest Homer, Assistant Chief Scott Wittenauer - Amboy

F104*: 1st Due Engine Company Operations, Stretching and Operating for Success BC Mike Salzano - Fort Lauderdale, LT Tim Klett - FDNY, Captain Danny Moran - Fort Lauderdale

F105: Hoarder Homes - Piles of Hazards for Firefighters (as taught at FDIC 2018) Lt. Ryan Pennington, Charleston, West Virginia Fire

F106: Building Construction and Fire Behavior For The Street Smart Firefighter Lt. Mike Lopina, Lockport FD

R207*: All Hands-on Deck – Hand Tools Only (as taught at FDIC 2018) With Auto X: Captain Mike Huffman - Harlem-Roscoe, Retired Captain Jack Redieske

R208*: Not Your Everyday Extrication with Hydraulic Tools With Auto X, Retired DC Bill Puckett, South Beloit

E309: First Responders Dealing with Violence, Burns, Basic Hazmat for EMS and Treating Firefighter Injuries. Ken Bouvier, Deputy Chief of Operations, New Orleans EMS.

A410: Juggling Hats: The multiple responsibilities of managing a department Chief Craig Haigh, Hanover Park

NOTE: IFA Member Departments can receive up to two (2) free registrations to this training through a grant from the IFA. There is limited number of free registrations available.



Illinois Firefighters Association

Prescription Assistance Program / Community Health Initiative

- You are likely overpaying for your prescriptions even if you have a low insurance co-pay. The Illinois Firefighters Association offers you the opportunity to purchase your prescription at the guaranteed lowest price by comparing your insurance co-pay price to a negotiated discount price through the Discount Drug Network (DDN). *Pricing examples are on the back of this page.*
- **You are eligible to participate in this free program simply by presenting the card below to your pharmacist.**
- This program is accepted at almost every pharmacy in the U.S.
- There is no cost to the patient and there is no patient information required to participate.
- Discounts are available to all participants regardless of current insurance status. (Insured, Uninsured, Medicare)
- All FDA approved brand name drugs and generics are covered by the plan.
- The program is HIPAA compliant requiring no patient data for participation.
- Generic drugs offer substantial savings over their brand equivalent. Ask your doctor if there is a generic drug alternative that provides you with the same medical benefit of the brand drug.

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Illinois Firefighters Association receives a donation from the Discount Drug Network each time a patient receives a discount. Everyone participating in this free program benefits. Thank you for your participation.



Chaplain's Corner

Faith – PPE for the Firefighter's Soul

Today's rising alarm about firefighter mental illness and suicide is a plain indication that firefighters' souls are under spiritual, mental, and emotional attack. Problems in personal lives compounded by trauma-based stress in the firefighting and EMS experience can weigh upon a firefighter's heart and soul producing a toxic inner experience of hopelessness, depression, guilt, regret, loneliness, unresolved loss/grief, unbelief, and cynicism. Eventually what is in the heart spills out into our personal, relational, and professional lives often with disastrous results.

But Good News! Faith, the experience of believing that God is personally and powerfully at work in a person's life, is a precious gift from God that every firefighter is invited to receive at any and all times – and should be! The Bible uses a number of word-pictures to describe the experience of faith, but two of my favorites – and most applicable to the firefighter – are the following:

FAITH IS A SHIELD to absorb and extinguish fiery dark attacks upon our souls.

FAITH IS AN ANCHOR to keep our souls firm and steady in the midst of our fire service experience – and our personal lives.

The actual content of our faith – the specific things we are invited to believe about God's activity in our lives and souls – extends to every experience and relationship in our fire service and personal lives. For example, we are invited to believe that...

...God has called me to the fire service.

...God is working His own redemptive purposes in and through me as I serve.

...God's presence is always with me as I serve.

...God entrusts me to faithfully manage the equipment and training He provides.

...God has given me a fire service family that we might bond in heartfelt support and camaraderie.

...God loves every person that I am called to serve or rescue.

...God will grant me strength and humility that I might reflect His character as I serve.

...God will help carry my accumulated stress as I by faith cast it upon Him.

...God will give me courage and wisdom to both face risk and to act safely.

...God's perfect will and eternal love can be trusted even in the face of injury or death.

I hope that you have Faith's Shield and Anchor as Personal Protective Equipment (PPE) for your soul. Remember, we don't don PPE after entering a hot and toxic environment, but before. I hope you are, or can soon be, building your faith personally and in community with others. It is God's gift of PPE for your soul! Please let me know if I can be of any help or encouragement to you or your fire department.

Kevin Coffey, IFA Chaplain (815-457-2007)



Boost Your Health: Start a Morning Routine.

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Keys to running a successful referendum

by William R. Thomas

Ottosen Britz Kelly Cooper Gilbert & DiNolfo, Ltd.

Before deciding to pursue a referendum to obtain electorate approval for new or additional revenue sources, local governments will need to contemplate and examine their current tax status, current economic realities and the political climate among other considerations in deciding whether or not to go forward.

In examining your current tax status, local governments should look at the tax sheet from your county and see what tax rates are currently extended to determine how far you are below the maximum rate in each fund and determine which potential options for referendum fit best. Fire protection districts, for example, will need to evaluate their current economic situation and needs (such as the desire to build a new fire station) and ask how much money will be needed for the project, and what other revenue sources would you have other than a referendum.

Local governments cannot ignore the current political climate in determining whether or not to present the voters with a referendum question. The governing board needs to analyze whether or not you have complete support from your trustees, whether the employees would support such an effort, and whether there are other competing units of government such as a school district also placing their own referendum on the same ballot.

Considerations for Pursuing Referendums

There are various other considerations that should be taken into account including how many years should a Property Tax Extension Limitation Law (PTELL) question be extended: do you have the appropriate legal assistance in place both for the analysis, going forward and the consequences if a referendum does not pass? If going through these pre-referendum analysis leads you to the conclusion that you want to go forward with a referendum, there are certain referendum options available depending on whether or not you are subject to the PTELL tax cap.

For fire protection district that are not subject to the PTELL tax cap, your referendum options would include an increase of the corporate rate fund (70 ILCS 705/14), the creation or increase of an ambulance fund rate (70 ILCS 705/22), the creation or increase of an emergency and rescue fund rate (70 ILCS 705/24), and a referendum to issue bonds (70 ILCS 705/12). The Fire Protection District Act provides the Board of Trustees with authority to increase the corporate fund rate to levy and collect taxes for all corporate purposes. (70 ILCS 705/14).

To pursue such a levy a question would be certified by the proper election officials who would submit the question for election in accordance with the general election law. Also, within the Fire Protection District Act, the Board of Trustees is authorized to provide emergency ambulance services and to levy a tax to provide this service and to adopt rules and regulations relating to ambulance service within its jurisdiction. (70 ILCS 705/22)

The Fire Protection District Act also provides for additional tax authorization by ordinance to levy a special annual tax at a rate not exceeding 0.10% of the value, as equalized or assessed by the Department of Revenue, of all taxable property within the district for the purpose of obtaining funds to pay for the costs of emergency and rescue crews and equipment. (70 ILCS 705/24) Also authorized in the Fire Protection District Act, any district may borrow money for corporate purposes through the issuance of bonds. (70 ILCS 705/12)

For fire protection districts that are subject to the PTELL tax cap, your options for referenda would include increasing the limiting rate (35 ILCS 200/18-190(a)), adding a new tax rate (35 ILCS 200/18-190(a)), increasing the extension limitation (35 ILCS 200/18-205), and a referendum to issue bonds (70 ILCS 705/12). The property tax code authorizes the increase in the limiting rate. (35 ILCS 200/18-190(a))

The benefits of a successful referendum increasing the limiting rate is that a successful passage would allow the district to increase its overall PTELL limiting rate and the County Clerk would suspend the PTELL limiting rate process for the year or years approved within the referendum and can be approved for up to four consecutive years. The PTELL process would then reinstate after the years approved in the referendum in question.

Some negatives associated with the referendum to increase the limiting rate include:

- It not being a sound option for your local government if it is currently taxing at or near its maximum rates;
- The language associated with the referendum may include calculations that may create confusion to many voters; and

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- A question that effects multiple years of taxes might be perceived as a negative if property values significantly drop since the limiting rate was fixed.

The Property Tax Code also authorizes the addition of a new tax rate. (35 ILCS 200/18-190(a)) Some benefits of seeking a referendum to add a new tax rate would include that the voters may equate a new tax rate with a new service, this is the best option for local governments that are levying very close to fund the maximums and would also create a new levy line item in the future. Some negatives associated with pursuing a referendum to add a new tax rate include that depending upon the rate sought the amount obtained even from a successful referendum may not be significant and ultimately a new rate referendum for a pension levy, for example, would be difficult to convince taxpayers to approve.

Another revenue option authorized by the Property Tax Code is to increase the extension limitation for one or more levy years. (35 ILCS 200/18-205) Pursuing the extension limitation by referendum provides the ability to do it for more than one year and the proceeds can be levied in any pre-existing funds. Some negatives associated with the referendum to increase the extension are:

- A historically low passage rate;
- The difficulty in educating the public to understand the concept of “extension limitation;” and
- The percentage amount sought needs to be fairly high in order to achieve the necessary financial results.

The final option for a local government subject to the PTELL tax cap would also include the referendum to issue bonds. (70 ILCS 705/12) Benefits associated with a referendum to issue bonds include that upon passage bonds are issued in maturity not to exceed twenty years which provides superior interest rates to other borrowing options and would create a separate property tax stream to pay for debt service on the bonds. Some negatives associated with pursuing a referendum to issue bonds include:

- Not providing a permanent revenue stream;
- A historical difficulty for passage without having a major new building process;
- The inclusion of underwriting and other issuance costs; and
- An on-going disclosure of legal requirements for bonds.

Timelines for Referendums

Regardless of whether your local government is subject to the PTELL tax cap, there are some very specific timelines associated with referendums. Petitions for submissions of public questions to referendum must be filed with the board not less than 92 days prior to election. Boards need to adopt resolutions or ordinances which will initiate the submission of the public question not less than 79 days before a regularly scheduled election. (10 ILCS 5/28-2) Boards must certify all public questions whether they are initiated by petition, resolution or ordinance, not less than 68 days before the regularly scheduled election to the proper election authorities. Even following a successful passage, referendum may be subject to an election contest pursuant to Illinois law.

Within Illinois' general election schedule there are three chances to run a ballot within any two-year period. These include of the consolidated election run on the first Tuesday in April on odd years, at the general primary election held on the third Tuesday in March on even years, and at the general election held on the first Tuesday after the first Monday in November on even years. I would recommend checking with your local election officials to confirm your jurisdictions general election schedule.

Fire protection districts are required to comply with general election laws including the posting of a copy of the notice of election at least 10 days before the date of the election at the principal office of the fire district. (10 ILCS 5/12-5) You should also check with your local election officials to determine depending upon the demographics of the district whether or not you are required to obtain and file a translation of the referendum ballot question into a foreign language as required by federal law.

Ethics Act Considerations with Referendums

The State Officials and Employees Ethics Act (5 ILCS 430/5-15) details prohibited political activities and district officials and their employees need to be aware what they can and cannot do in support of a referendum. (5 ILCS 430/5-15). State employees cannot intentionally perform a prohibited political activity during any compensated time and shall not intentionally misappropriate any state property or resources for the benefit of any campaign or political organization. (5 ILCS 430/5-15(a)) Officials cannot intentionally misappropriate the services of any employees by requiring those employees to perform any prohibited political activity as part of their duties, as a condition

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of their employment or during any time off that was compensated by the State. (5 ILCS 430/5-15(b))

State employees cannot be required at any time to participate in any prohibited political activity in consideration for an award of any additional compensation, benefits, salaries, bonuses, time off, or continued employment. (5 ILCS 430/5-15(c)) However, the State Officials and Employees Ethics Act does not prohibit employees from volunteering for political campaigns as long as the above referenced paragraphs are not violated. (5 ILCS 430/5-15(d))

So, when is a person campaigning for a cause and when is a person just providing information? Very important distinctions can be drawn before one is considered providing information versus campaigning for a political activity. Public funds may be spent on a referendum consultant for the preparation of drafting of informational materials. A third-party organization is free to spend non-public funds in pursuit of public referendum as long as no public funds are sent by the district to that organization. The Ethics Act also prohibits activities that are designed to promote a vote for or against any referendum question. The Illinois Attorney General's Office has previously indicated that they believe there is a very fine line that exists between campaigning in support of a referendum and the dissemination of facts in support of.

The Illinois Election Code permits local political activities to be formed in support of local governmental referenda. However, once established these committees must follow proper formation and reporting requirements established by law. These requirements would include appropriate filings of acceptance of contributions of more than five dollars, loans or income contributions and rules and restrictions regarding solicitations.

Conclusion

Ultimately, running a successful referendum requires a significant period of time, thought, analysis, preparation, and execution to both determine whether or not a referendum is the proper avenue to seek additional revenue and how to take it from start to finish. With such a complex procedure it is recommended that you obtain legal counsel to assist you in the pursuit of a successful referendum.

William R. Thomas is a partner with Ottosen Britz Kelly Cooper Gilbert & DiNolfo, Ltd. at the firm's Elburn office. He received his J.D. degree from Valparaiso University School of Law in 1991. Mr. Thomas focuses primarily on the general practice of law.

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Fourth Generation Agents

After the incidents in the United Kingdom (U.K.) in 2018 involving a fourth generation agent, the White House National Security Council convened a federal interagency working group to identify and develop resources to help the emergency response community prepare for and respond to a fourth generation agent incident if one ever occurs in the U.S., as well as support the development of specific guidance and training to enhance overall preparedness efforts. These resources meet the needs of U.S. emergency response professionals who sought to learn more about the agent used in the U.K. and how to protect themselves and respond if such incidents ever occur in their communities.

Fourth generation agents, also known as Novichoks or A-series nerve agents, belong to a category of chemical warfare agents that are unique organophosphorus compounds. They are more persistent than other nerve agents and are at least as toxic as VX. While fourth generation agents share similar characteristics with other nerve agents, fourth generation agents also pose several unique challenges in terms of toxicity, detection, persistence, and potential for delayed onset of symptoms. The following resources were developed to address these characteristics and challenges and provide tailored guidance to various segments of the emergency response community.

- [*Safety Awareness for First On-Scene Responders Bulletin*](#) – Designed to educate and prepare first responders for situations when law enforcement, fire, and emergency medical services (EMS) personnel are first to arrive on scene and initially may be unaware that a fourth generation agent is present. This bulletin will assist departments and agencies develop specific guidance and training to enhance overall preparedness efforts. ([PDF - 791 KB](#)) 
- [*Reference Guide*](#) – Designed to educate and prepare hazardous materials (HAZMAT) response teams, the guide includes chemical and physical properties of fourth generation agents, as well as detection, firefighting, personal protective equipment, and decontamination recommendations for situations when responding to a known or suspected fourth generation agent incident. This guide will assist HAZMAT response teams develop specific guidance and training to enhance overall preparedness efforts. ([PDF - 789 KB](#)) 
- [*Medical Management Guidelines*](#) – Designed to educate and prepare fire, EMS, and hospital staff and guide the medical management of patients exposed or potentially exposed to a fourth generation agent. ([PDF - 858 KB](#))  (Note: This is one PDF document that is divided into two Web pages, one for pre-hospital care and one for in-hospital care.)
 - [*Pre-hospital Medical Management Guidelines*](#)
 - [*Hospital Medical Management Guidelines*](#)

These resources were developed by a federal interagency working group comprising experts in medicine, science, public health, law enforcement, fire, EMS, HAZMAT, and occupational safety and health from the Department of Defense, Department of Health and Human Services (Office of the Assistant Secretary for Preparedness and Response, Centers for Disease Control and Prevention, and National Institute for Occupational Safety and Health), Department of Transportation (Pipeline and Hazardous Materials Safety Administration and National Highway Traffic Safety Administration's Office of Emergency Medical Services), Department of Homeland Security, Federal Bureau of Investigation, Occupational Safety and Health Administration, and Environmental Protection Agency.

These resources are based on the interpretation of available data on fourth generation agents by U.S. government experts and previously developed federal guidance related to nerve agents. Moreover, the guidance was developed through a collaborative process which included extensive stakeholder review in the form of listening sessions and consultations with representatives from the various disciplines across the emergency response community.

Information as of January 18, 2019, was used to inform the development of these resources. They will be updated as new data becomes available that can further support any response to a potential fourth generation agent incident and help protect responders if such an incident ever occurs in the U.S.

Please refer comments and questions on these fourth generation agent resources to askasprtracie@hhs.gov.

Article and documents can be found at <https://chemm.nlm.nih.gov/nerveagents/FGA.htm>.

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