Legislative Update-Lead Line Replacement Monies in Doubt for FY 2021:

On April 14, Governor Pritzker issued Emergency Order 25, suspended portions of the Illinois Code of Civil Procedure for service of wage garnishments, wage deduction summons and other debtor orders. Here is a link to the order:

https://www2.illinois.gov/Pages/Executive-Orders/ExecutiveOrder2020-25.aspx

He also suspended the process for residential evictions in EO 31. That is here:

https://www2.illinois.gov/Pages/Executive-Orders/ExecutiveOrder2020-30.aspx

We don’t know when the legislature will reconvene in 2020. When they do, will likely have some information on the budget shortfalls that will hit state and local governments in Illinois for FY 2021. Apart from the public health storm that the US and Illinois are confronting now, there remains the weathering of the next fiscal storm that will hit federal, state and local revenues in the coming year. As reported earlier in the month, Illinois is estimating a $4.6 billion dollar state budget shortfall for FY 2021. That link is here:

https://www.wifr.com/content/news/Pritzker-updates-state-revenue-projections-pledges-to-pass-a-full-2021-budget-569667321.html

FY 2021 does not seem to be the year for investments to replace lead line infrastructure (and two Senators have told us as much).

COVID 19 Update-Residents Required to Shelter at Home for 30 More Days and Wear Facemasks Beginning on May 1:

Yesterday, Governor Pritzker modified his Emergency Stay-At-Home- Order to require all residents in public places to wear facemasks when social distancing is
not possible and extended quarantines in Illinois until the end of May. Here is the text taken from his order:

**FACE COVERINGS:** Beginning on May 1, individuals will be required to wear a face-covering or a mask when in a public place where they can’t maintain a six-foot social distance. Face-coverings will be required in public indoor spaces, such as stores. This new requirement applies to all individuals over the age of two who are able to medically tolerate a face-covering or a mask.

In addition, he eased restrictions on some business closings (greenhouses, state parks, golf courses). A press release on the full order is here:

https://www2.illinois.gov/dceo/Media/PressReleases/Pages/PR20200423.aspx

- Retail stores can begin to reopen for online and pick up orders.
- State parks can resume limited functions; camp grounds, playgrounds and restrooms will remain closed.
- Beginning May 11th, hospitals and Ambulatory Treatment Centers may resume elective surgeries under new guidance issued by the Illinois Department of Public Health. A full copy of the guidance is here.
- Beginning May 1st, golf courses are allowed to re-open. A full copy of the Department of Commerce and Economic Opportunity guidance is here.
- Individuals are allowed to engage in the free exercise of religion as long as social distancing guidelines are followed and limited to gatherings of 10 people. This change to the order is in response to a lawsuit filed Thursday in federal court by a Stephenson County church which challenges the Governor’s authority to prevent churches from meeting

As of April 29, there were approximately 50,355 COVID-19 cases in the State and over 2215 deaths.


But it appears Illinois and other States are underreporting deaths from COVID 19, and we have not yet reached a plateau in deaths and infections from the virus either. Here are those links to the New York Times:
23% of Illinois’ ventilator capacity was in use by COVID-19 patients. Jasper and Monroe counties in Southern, Illinois have 2/5 of the highest per-capita infection rates in the State.

Unemployment claims during the month of April have been averaging over 150,000 persons per week and quite the contract to 8400 claims per week from last year. Weekly claims in April, 2019 were approximately 8,400 per week. Simply incredible.

Bloomberg News’ Daily Tax Report on April 21 had a lengthy story on Pritzker budget press conference that day. The title of the piece was “Illinois Governor Says ‘Everything Is on the Table’ for Budget, and dissected various options for the State’s FY 2021 budget to include layoffs, pension bonds and budget cuts. Already, it appears the State has taken steps to address the 2020 budget shortfall of approximately $2 billion dollars. According to the Springfield Journal Register, the State will sell bonds to cover $1.2 billion in current COVID expenses, and another $1 billion for statewide construction projects and pension buyouts. Here is that link:


Indeed, COVID 19 at the state level has interrupted many normal functions of State government that we take for granted, to include the awarding of professional licenses (most renewals have been deferred until August), the award of cannabis dispensary licenses (also similarly delayed...
Bottom line, Illinois still is not in the ‘sweet spot’ of White House Guidelines for opening the economy (which is 14 consecutive days of a decline in the number of virus cases). We still have many months to go before we can get back to normal. The data we have referenced above suggest Illinois is still seeing an increase in COVID 19 cases, has, however, adequate ventilator and ICU capacity for virus cases, but is projecting deteriorating state and local tax revenues for the coming FY 2021.

https://www.whitehouse.gov/openingamerica/#criteria

Controversial Workers’ Comp Rule Introduced, Then Withdrawn:

The Illinois Workers’ Compensation Commission (WCC) filed notice on Monday to withdraw the emergency rule that created a presumption that the workplace was the cause of a COVID-19 infection. This action to withdraw the rule was taken after the Illinois Manufacturers’ Association and Illinois Retail Merchants Association filed a lawsuit last week on behalf of two-dozen organizations and won a Temporary Restraining Order (TRO) on Thursday afternoon blocking the rule from taking effect. A Sangamon County judge issued the TRO on the grounds that the Commission exceeded its rulemaking authority.

In past administrations, the WCC had convened a working group to vet emergency actions. There was no such group or vetting this time. The outcry from the business community was swift in this case, and Pritzker moved quickly to save face.

There will likely be legislation in the coming weeks to address the problem of dangerous workplaces for health care workers and COVID 19.