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RESOLUTION ENCOURAGING THE ILLINOIS GENERAL ASSEMBLY TO CONVENE TO ADDRESS COVID-19

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RESOLUTION INTENT:

The Village President and Board of Trustees of the Village of Orland Park respectfully request the General Assembly reconvene, the Governor and Executive Branch increase transparency on the data, models and assumptions used for decision making by making that information publicly available, and the Executive and Legislative Branches formalize a reopening plan for the Illinois economy as quickly as possible, with appropriate science and data-driven guidelines in response to the COVID-19 outbreak.

WHEREAS, in late 2019, an outbreak of novel coronavirus (“SARS-CoV-2”) occurred in China and quickly spread across the globe causing Covid-19; and

WHEREAS, on March 9, 2020, the Governor of Illinois declared all counties in the State of Illinois as a disaster area pursuant to the Illinois Emergency Management Agency Act (20 ILCS 3305); and

WHEREAS the Illinois Emergency Management Agency Act (20 ILCS 3305/7) provides that the Governor may exercise emergency powers “for a period not to exceed 30 days;” and

WHEREAS, the Illinois Emergency Management Agency Act also provides that the Act “shall not be construed to: (c) affect the jurisdiction or responsibilities of police forces, firefighting forces . . .” 20 ILCS 3305/3(c); and

WHEREAS, the Illinois General Assembly has remained in recess during the entirety of this time period, having recessed no later than March 5, 2020 and not having reconvened since that time; and

WHEREAS, the Illinois General Assembly, as a representative body, has the power and responsibility to take up these issues and legislate on behalf of the residents of Illinois in collaborative response to the COVID-19 pandemic; and

WHEREAS, between March 9, 2020, and April 28, 2020, the Governor of Illinois has issued 29 Executive Orders related to the COVID-19 outbreak, which contain numerous mandates intended to protect the public health of Illinois residents, including closing bars, restaurants, and any “non-essential” businesses, providing for Illinois residents to stay at home, closing parks and other public spaces, closing all schools, prohibiting gatherings of any size, requiring social distancing, and various other provisions; and

WHEREAS, on April 30, 2020, the Governor of Illinois issued Executive Order 2020-32, which extended the provisions of previous Executive Orders, with some modification, through the end of May, 2020, and further expanded the mandate of the previously issued Executive Orders by requiring all Illinois residents to wear face coverings in public; and

WHEREAS, the Governor’s Executive Order 2020-32 claims that the State is using modeling which shows that “without a ‘stay at home’ order, more than 100,000 hospital beds would be necessary . . . more than 25,000 ICU beds would be necessary . . . upwards of 20,000 ventilators would be necessary . . . [and] the number of deaths from COVID-19 would be between 10 to 20 times higher than with a ‘stay at home’ order in place.” (Executive Order 2020-32). However, the State has not been transparent in disclosing the data, assumptions, and/or resulting models to support such findings; and

WHEREAS, there is generally a shortage of effective Personal Protective Equipment (“PPE”), requiring first line responders to ration supplies, and limiting the availability of masks for the general public; and

WHEREAS, it has been argued by some the rights of Illinois residents under the First, Fifth, Ninth, and Fourteenth Amendments to the United States Constitution, as well as Sections Two, Four, Five, and Twenty-three of Article I of the Illinois Constitution are being significantly abridged by the requirements promulgated by these Executive Orders; and

WHEREAS, at least one court of competent jurisdiction has issued a Temporary Restraining Order in a narrowly defined case against enforcement of the Governor's Executive Order requiring residents to stay-home, characterizing it as unconstitutional: and

WHEREAS, the statewide orders in response to the SARS Cov-2 Pandemic, have caused severe economic hardship to the Village and the residents of the Village, through a significant rise in unemployment and a reduction in the economic activity of the Village; and

NOW, THEREFORE, BE IT RESOLVED, by the Village President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1:

The above recitals are incorporated by reference into this Section 1 and made a part hereof as though fully set forth herein.

SECTION 2:

The Village President and Board of Trustees of the Village hereby call for the Illinois General Assembly to reconvene to address the health, safety and welfare of Illinois residents in light of COVID-19 by exercising their valid authority to legislate in those areas.

SECTION 3:

The Village President and Board of Trustees of the Village call for the Executive Branch to make publicly available the data, models and assumptions used for decision making by the State of Illinois as an aid local authorities as they set local plans for re-opening. A specific example of transparency and disclosure is the IHME website.

SECTION 4:

The Village President and Board of Trustees of the Village call for the General Assembly and the Governor to articulate a reopening plan for the economy as quickly as possible with reasonable guidelines designed to promote the health and welfare of Illinois residents, including the residents of the Village.

SECTION 5:

This Resolution shall be effective immediately upon its adoption as provided by law.