



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Details (With Text)

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<b>File #:</b>	15-6190	<b>Version:</b>	1	<b>Name:</b>	REQUESTING TO PRESENT A PUBLIC QUESTION VIA A COUNTYWIDE REFERENDUM ABOLISHING THE OFFICE OF THE COOK COUNTY RECORDER OF DEEDS
<b>Type:</b>	Resolution	<b>Status:</b>			Approved
<b>File created:</b>	10/22/2015	<b>In control:</b>			Finance Committee
<b>On agenda:</b>	10/28/2015	<b>Final action:</b>			6/29/2016
<b>Title:</b>	PROPOSED RESOLUTION				

REQUESTING TO PRESENT A PUBLIC QUESTION VIA A COUNTYWIDE REFERENDUM ABOLISHING THE OFFICE OF THE COOK COUNTY RECORDER OF DEEDS

WHEREAS, Cook County government continues to make concerted efforts to address current and future budgetary constraints by rightsizing governmental operations, improving efficiency and eliminating redundancy in operations, among other measures; and

WHEREAS, the County currently has 29 separately elected officials, some of whom oversee administrative offices; and

WHEREAS, the Cook County Recorder of Deeds is tasked with keeping accurate records of land transactions for public and private review; maintaining official records of UCC, tax liens and lien releases; and recording and maintaining other official records; and

WHEREAS, the key functions of the Cook County Clerk include maintaining vital records and other official records, administering elections, and maintaining County tax maps and calculating tax rates; and

WHEREAS, functions that are narrowly drawn and administrative in nature provide an excellent opportunity for consolidation with another office; and

WHEREAS, record-keeping is an administrative function shared by both the County Clerk's Office and the County Recorder of Deeds, with many of the Recorder's duties aligning with already existing divisions under the Clerk; and

WHEREAS, only 2 of the 10 largest counties in the United States have a separately elected Recorder of Deeds and Clerk; and

WHEREAS, it is anticipated that a merger of the Cook County Clerk and Cook County Recorder of Deeds could save the County over \$1 million dollars annually through a more efficient provision of services while also centralizing record-keeping and improving customer service; and

WHEREAS, Article VII, Section 4(c) of the Constitution of the State of Illinois states, "Any office may be created or eliminated and the terms of office and manner of selection changed by county-wide referendum"; and

WHEREAS, 10 ILCS 5/28-8.1(a) states, "Whenever a proposition required by law to be voted upon before its adoption, other than a constitutional amendment, is submitted to the people, it is the duty of the Secretary of State to prepare a statement setting forth in detail Section or Sections of the law sought to be amended by the vote, together with statements and suggestions as may be necessary for a proper understanding of the proposition. The statements and suggestions shall be submitted to

the Attorney General for his approval”; and

WHEREAS, it is a fundamental underpinning of our great country to provide taxpayers the opportunity to have input as to the functioning of their government and use of their tax dollars; and

WHEREAS, allowing the voters of Cook County the opportunity to determine the propriety of the proposed consolidation via a binding referendum is an opportunity to engage residents directly in our democratic process; and

WHEREAS, in order to consolidate and improve services by merging the functions and responsibilities of the office of the Recorder of Deeds into the office of the Cook County Clerk, the Cook County Board of Commissioners seeks to place a question before the electorate via a referendum on the November 8, 2016, countywide ballot seeking to eliminate the office of the Cook County Recorder of Deeds and merge its functions into those of the Cook County Clerk, as follows:

“Shall the Office of the Cook County Recorder of Deeds be eliminated and all duties and responsibilities of the Office of the Cook County Recorder of Deeds be transferred to, and assumed by, the Office of the Cook County Clerk by December 1, 2018.

[ ] Yes

[ ] No”

NOW, THEREFORE BE IT RESOLVED by the Cook County Board of Commissioners that this Board present the aforementioned question to the electorate via a countywide referendum on the November 8, 2016 ballot.

BE IT FURTHER RESOLVED, that the Cook County Clerk notifies the Secretary of State, and the Attorney General of this request for action...end

**Sponsors:** JOHN A. FRITCHEY

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/29/2016	1	Finance Committee	amend	Pass
6/29/2016	1	Board of Commissioners	approve as amended	Pass
6/29/2016	1	Finance Committee	recommend for deferral	Fail
6/29/2016	1	Finance Committee	recommend for approval as amended	Pass
6/29/2016	1	Finance Committee	reconsider	Fail
10/28/2015	1	Board of Commissioners	refer	Pass

## PROPOSED RESOLUTION

### REQUESTING TO PRESENT A PUBLIC QUESTION VIA A COUNTYWIDE REFERENDUM ABOLISHING THE OFFICE OF THE COOK COUNTY RECORDER OF DEEDS

WHEREAS, Cook County government continues to make concerted efforts to address current and future budgetary constraints by rightsizing governmental operations, improving efficiency and eliminating redundancy in operations, among other measures; and

WHEREAS, the County currently has 29 separately elected officials, some of whom oversee administrative offices; and

**WHEREAS**, the Cook County Recorder of Deeds is tasked with keeping accurate records of land transactions for public and private review; maintaining official records of UCC, tax liens and lien releases; and recording and maintaining other official records; and

**WHEREAS**, the key functions of the Cook County Clerk include maintaining vital records and other official records, administering elections, and maintaining County tax maps and calculating tax rates; and

**WHEREAS**, functions that are narrowly drawn and administrative in nature provide an excellent opportunity for consolidation with another office; and

**WHEREAS**, record-keeping is an administrative function shared by both the County Clerk's Office and the County Recorder of Deeds, with many of the Recorder's duties aligning with already existing divisions under the Clerk; and

**WHEREAS**, only 2 of the 10 largest counties in the United States have a separately elected Recorder of Deeds and Clerk; and

**WHEREAS**, it is anticipated that a merger of the Cook County Clerk and Cook County Recorder of Deeds could save the County over \$1 million dollars annually through a more efficient provision of services while also centralizing record-keeping and improving customer service; and

**WHEREAS**, Article VII, Section 4(c) of the Constitution of the State of Illinois states, "Any office may be created or eliminated and the terms of office and manner of selection changed by county-wide referendum"; and

**WHEREAS**, 10 ILCS 5/28-8.1(a) states, "Whenever a proposition required by law to be voted upon before its adoption, other than a constitutional amendment, is submitted to the people, it is the duty of the Secretary of State to prepare a statement setting forth in detail Section or Sections of the law sought to be amended by the vote, together with statements and suggestions as may be necessary for a proper understanding of the proposition. The statements and suggestions shall be submitted to the Attorney General for his approval"; and

**WHEREAS**, it is a fundamental underpinning of our great country to provide taxpayers the opportunity to have input as to the functioning of their government and use of their tax dollars; and

**WHEREAS**, allowing the voters of Cook County the opportunity to determine the propriety of the proposed consolidation via a binding referendum is an opportunity to engage residents directly in our democratic process; and

**WHEREAS**, in order to consolidate and improve services by merging the functions and responsibilities of the office of the Recorder of Deeds into the office of the Cook County Clerk, the Cook County Board of Commissioners seeks to place a question before the electorate via a referendum on the November 8, 2016, countywide ballot seeking to eliminate the office of the Cook County Recorder of Deeds and merge its functions into those of the Cook County Clerk, as follows:

**"Shall the Office of the Cook County Recorder of Deeds be eliminated and all duties and responsibilities of the Office of the Cook County Recorder of Deeds be transferred to, and assumed by, the Office of the Cook County Clerk by December 1, 2018.**

☐ Yes

☐ No"

**NOW, THEREFORE BE IT RESOLVED** by the Cook County Board of Commissioners that this Board present the aforementioned question to the electorate via a countywide referendum on the November 8, 2016 ballot.

**BE IT FURTHER RESOLVED**, that the Cook County Clerk notifies the Secretary of State, and the Attorney General of this request for action.