Agenda Item No. 11.0

Chicago Metropolitan Agency for Planning

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MEMORANDUM

To: MPO Policy Committee

From: CMAP Staff

Date: June 3, 2011

Re: Legislative Update

The General Assembly approved a balanced $33.2 billion state budget for FY 12, which is $2 billion less than Governor Quinn's budget proposal introduced in February. The budget will still need the Governor's signature before July 1, the beginning of the state fiscal year.

MPO funding, which includes $3.5 million for CMAP, was passed by the ILGA in HB 2168. In another one of the budget bills that passed, SB 335, there was an amendment added that included language concerning our Comprehensive Regional Planning Fund (CRPF). The amendment legislatively swept funds from a number of programs and transferred the balances to the General Revenue Fund. For the CRPF, the legislation takes the funding that was deposited, but hasn't been appropriated over the past couple of years and transfers it to the General Fund and then it dissolves the CRPF. This does not impact our funding for this year since our funding was coming from the Road Fund through IDOT. We are trying to determine the reasoning for the dissolution of the CRPF and next steps.

A gambling expansion bill (SB 744) also passed, allowing for slot machines at race tracks, expanded gambling positions at existing casinos and new casinos for Chicago, the South Suburbs, Lake County, Rockford and Danville. The General Assembly's Commission on Government Forecasting and Accountability estimates that taxes on "racinos" will generate $38-41 million annually for the Capital Projects Fund. At the time this memo was written it was still uncertain whether or not Gov. Quinn would sign the bill, as he had earlier threatened to veto it.

Each session the legislature passes a Capital Appropriations bill for the upcoming fiscal year. HB 2189 was the Capital Appropriations for FY12. A Senate amendment added $431 million to the bill to restore funding for education, mental health and other programs to which the House voted to non-concur, sending the bill back to the Senate. The Senate adjourned without taking final action. This is likely to have ramifications for the summer construction program. IDOT and the Governor are working to determine the impact. We anticipate that additional legislative action will be necessary to make capital funds available.

The following are some of the bills CMAP tracked, an update on their status, a brief synopsis of each one and, where necessary, an explanation of their impact on the region. We have arranged the bills to conform to the format of the GO TO 2040 Regional Plan.

* *Bills that Support CMAP State Agenda*

Livable Communities
Achieve Greater Livability Through Land Use and Housing

HB 1109 – Rep. Yarbrough (D-Broadview) – CMAP SUPPORTED this bill to allow local governments to enact ordinances to hold financial institutions and others responsible for maintaining and securing vacant properties. The foreclosure crisis has affected many communities in our region and added additional financial burdens to municipalities. This bill gives local governments another tool to help maintain and address neighborhood stabilization that is needed from abandoned and foreclosed properties. **Re-referred to House Rules Committee on 5/31/11.**

Manage and Conserve Water and Energy Resources
HB 14 – **Refer to SB 1652 below.** Creates a Smart Grid and allows utilities to impose multi-billion dollar rate increases. **Re-referred to House Rules on 5/31/11.**

*HB 3372 – Rep. Fortner (R-West Chicago); Sen. Koehler (D-Pekin) – CMAP SUPPORTED this bill to allow counties with stormwater management plans to adopt fees to benefit stormwater management activities and facilities. This provision encourages the use of green infrastructure to earn the credits, which can provide multiple benefits to the community, including improved water quality, improved air quality, increased groundwater recharge, increased recreational space and wildlife habitat, energy savings, carbon sequestration and increased land values. **Placed on Senate calendar for second reading on 5/16/11.**

*SB 38 – Sen. Garrett (D-Highwood); Rep. Sente (D-Lincolnshire) – CMAP SUPPORTED this bill to require the Department of Public Health to adopt and publish a minimum code of standards for rainwater harvesting collection and distribution systems by Jan. 1, 2012. Senate Amendment 1 expands the scope of this legislative directive and simplifies it at the same time. **Re-referred to House Rules Committee on 5/31/11.**

SB 1280 – Sen. Frerichs (D-Champaign); Rep. Hays (R-Danville) – CMAP SUPPORTED this bill to provide cost-share grants from the Partners for Conservation Fund for water quality protection and improvement projects. **Re-referred to House Rules Committee on 5/31/11.**

SB 1652 – Sen. Jacobs (D-Moline); Rep. McCarthy (D-Orland Park) – CMAP was NEUTRAL on this bill which provides ComEd and other utilities the ability to more efficiently implement grid modernization for the state. The bill was amended numerous times to address concerns for

consumer protections – including performance standards on reliability and customer service. It eliminates the automatic rate increases, maintains ICC authority to review and set rates and leaves the burden of proof on the utility. The bill removes barriers and opens new markets for renewable energy, saves energy and cuts pollution with major new energy efficiency programs. **Passed both chambers (Motion Filed to Reconsider Vote).**

Efficient Governance
Pursue Coordinated Investments

HB 124 – Rep. Madigan (D-Chicago); Sen. Kotowski (D-Chicago) – This appropriations bill includes the IDNR operating budget. It contains $85,000 for regional water supply planning and $30,900 for statewide water plan implementation. **Passed both chambers.**

HB 268 – Rep. Franks (D-McHenry); Sen. Raoul (D-Chicago) – CMAP was NEUTRAL on this bill that creates a 17-member commission to study the entire structure of local governments and their organization, powers, jurisdiction and function. The Commission will provide legislation recommendations to the General Assembly no later than December 31, 2012. The members of the commission are appointed by the leaders of the House and Senate and the Governor. In our region, this issue is being tackled by councils of government and counties. Because of that, CMAP remained neutral and did not think the ILGA needed to create a commission to begin work that is already ongoing in our region. **Passed both chambers.**

HB 2134 – **Refer to HB 124 above.** This is an appropriations bill that included the IDNR operating budget. **Assigned to House Appropriations-General Services Committee on 2/22/11.**

HB 2168 – Rep. Madigan (D-Chicago); Sen. Steans (D-Chicago) – CMAP SUPPORTED this appropriations bill that includes the IDOT operating budget and MPO funding. Because of the state's budget issues, CMAP and other MPOs will again be funded through the Road Fund for $6 million under "metropolitan planning and research." **Passed both chambers.**

SB 2409 – **Refer to HB 124 above.** This is an appropriations bill that included the IDNR operating budget. **Held on Calendar Order of Second Reading - Short Debate on 5/29/11.**

SB 2419 – **Refer to HB 2168 above.** This is an appropriations bill that included the IDOT operating budget and MPO funding. **Held on Calendar Order of Second Reading - Short Debate on 5/29/11.**

Regional Mobility
Invest Strategically in Transportation

*HB 1091 – Rep. Nekritz (D-DesPlaines); Sen. Steans (D-Chicago) – CMAP SUPPORTED this bill to allow the state to enter into public-private partnerships for transportation projects. Senate

Amendment 3 ensures that no federal laws are superseded when the rules are created for the use of P3. **Passed both chambers.**

HB 1884 Rep. Rita, (D-Blue Island); Sen. Crotty (D-Oak Forest) – CMAP SUPPORTED this bill to require IDOT, the RTA and state police to establish a five-year pilot program within the RTA boundaries for bus rapid transit on highway and tollway shoulders commencing Jan. 1, 2012. **Passed both chambers.**

HB 2903 – Rep. Williams (D-Chicago); Sen. Steans (D-Chicago) – CMAP was NEUTRAL on this bill to authorize a $500,000 grant from the Alternate Fuels Act to be given to car-sharing organizations to purchase alt-fuel vehicles made in Illinois. CMAP supports car-sharing programs in Illinois; however expanding these programs was not a priority of GO TO 2040, thus our neutrality on the bill. P**assed both chambers.**

SB 143 – Sen. Sandoval (D-Chicago) – CMAP OPPOSED this bill to require 30 percent of all monies deposited in the State Road Fund to be used for projects in Cook County. Although the formula change in this bill would bring more money to Cook County, this approach is not the preferred method to address the inequity in funding recommended by GO TO 2040. **Re-referred to Senate Assignments on 4/8/11.**

SB 1381 – Sen. Sandoval (D-Chicago) – CMAP OPPOSED this bill to require $5 million in MFT taxes per month to be diverted to finance railroad grade crossing construction. The bill actually will reduce the flexibility to make the most needed improvements to the transportation system by first transferring a specific amount of funding from an existing source. The preference would be to identify new sources of revenue and increase flexibility. **Lost on third reading in the Senate on 5/3/11.**

SB 1856 – Sen. McCarter (R-Highland); Rep. Winters (R-Rockford) – CMAP MONITORED this bill to require IDOT to host public meetings for an area designated as a protected corridor for a future road project at least every 10 years after the establishment of the corridor. It also requires that if the project is no longer deemed feasible that lands that are not developed for highways be removed from the protected road category, this would be at IDOT's discretion. CMAP is supportive of protecting corridors for future transportation projects as well as a public process to evaluate whether the land should remain preserved. **Passed both chambers.**

Increase Commitment to Public Transit

HB 267 – Rep. Franks (D-Woodstock); Sen. Wilhelmi (D-Joliet) – CMAP OPPOSED this bill to allow counties to opt out of paying RTA taxes. **Lost on third reading in the Senate on 5/29/11.**

HB 585 – Rep. Nekritz (D-DesPlaines); Sen. Harmon (D-Oak Park) – CMAP was NEUTRAL on this bill that requires ADA paratransit funding to be appropriated first by RTA prior to the service boards' budgets. Passage of this bill speaks to the emphasis on efficient and fair

decision-making about transportation expenditures. This funding is required by law and with this bill Pace no longer has to expend time to request funding that is required of them to implement ADA paratransit programs. This also allows RTA to prioritize this issue at the same level as basic service board funding. **Passed both chambers.**

HB 1966 – Rep. Burke (D-Chicago); Sen. Sandoval (D-Cicero) – CMAP MONITORED this bill to create an Illinois and Midwest High Speed Rail Commission to study implementation of HSR. The plan also supports new high-speed rail and encourages the federal government to pursue this, but cautions that new federal spending on high-speed rail should not come at the expense of support for the regional transit system. **Passed both chambers.**

HB 2874 – Rep. Flynn Currie (D-Chicago); Sen. Collins (D-Chicago) – CMAP MONITORED this bill to require the RTA to create a universal fare card for senior citizens. A universal fare card supports the plan's suggestion to improve the transit user's perception and experience. **Passed both chambers.**

HB 3597 – Rep. Burns (D-Chicago); Sen. Raoul (D-Chicago) – CMAP MONITORED this bill to require the transit service boards to reduce the cost of transfers by January, 2013, and to create a universal fare card by 2015. (See comments in HB 2874.) **Passed both chambers.**

*SB 1258 – Sandoval (D-Chicago) – CMAP SUPPORTED this bill to allow road funds and MFT funds to be used for mass transit projects. **Lost on third reading in the Senate on 5/3/11.**

HJR 24 – Rep. Soto (D-Chicago); Sen. Sandoval (D-Chicago) – CMAP SUPPORTED this resolution requiring the House Mass Transit committee to host at least one meeting on creating an efficient mass transit system and report findings to the General Assembly by December 2011. **Adopted by both chambers.**

Create a More Efficient Freight Network

*HB 1377 – Rep. Zalewski (D-Summit); Sen. Raoul (D-Chicago) – CMAP SUPPORTED this bill to require municipalities to report to IDOT all preferred truck routes not classified Class 2 or 3, and for IDOT to post those routes on its website. Sharing this data and resources will help improve transparency and provide improved access to information that is critical to better decision-making for local, state and private businesses. **Passed both chambers.**

*HB 1761 – Rep. Nekritz (D-DesPlaines); Sen. Wilhelmi (D-Joliet) – CMAP SUPPORTED this bill to require IDOT to publish its master plan every five years (instead of two), and that the plan include a comprehensive and multimodal freight mobility plan that recommends improvements in the operation and management of the freight system. **Passed both chambers.**

GO TO 2040 Capital Projects

HB 2189 – Rep. Madigan (D-Chicago); Sen. Kotowski (D-Chicago) – CMAP SUPPORTED this bill. This bill was drafted in the event that legislation is needed to reauthorize "Illinois Jobs Now!" **Placed on Calendar Order of Non-Concurrence to Senate Amendment 1 – 5/31/11.**

SB 1323 – **Refer to HB 2189 above.** This bill was drafted in the event that legislation is needed to reauthorize "Illinois Jobs Now!" **Re-referred to House Rules Committee on 5/31/11.**

ACTION REQUESTED: Discussion and direction to staff

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