

**MEMORANDUM**

To: CMAP Board

From: CMAP Staff

Date: January 2, 2013

Re: State Legislative Update

LAME DUCK UPDATE

The legislators are scheduled to return to Springfield for a “lame duck” session in January. As of the publication of this memo scheduled dates are January 6, 2013 for the Illinois House and January 3 for the Illinois Senate. Newly elected legislators will be sworn in on January 9. House and Senate calendars for the 98th General Assembly are available at www.ilga.gov. Staff will provide a verbal update at the board meeting.

VETO SESSION SUMMARY

A number of issues were expected to be back on the table, such as gaming, pension reform, state debt payments, medical marijuana, and civil unions. However, legislators determined that many of these issues may need to be put off until after the “lame duck” session or until the new Assembly is seated, although they still could be considered in the early January session. The following are the notable accomplishments from the 2012 Veto Session.

Abandoned Property Fund (SB 16)

This legislation would require mortgage institutions to pay foreclosure filing fees to raise approximately \$41 million in revenues for two new Illinois Housing Development Agency programs: the Foreclosure Prevention Program, which would provide in-person housing counseling throughout the state by non-profits, and a grant program for municipalities coping with abandoned residential properties. Approximately \$13 million of the raised revenues would be deposited into the Foreclosure Prevention Fund, to be distributed throughout the state for housing counseling. The bill defines “abandoned property” and provides for expedited foreclosure proceedings. Status: Sent to the Governor

CPS School Closure Extension (SB 547)

This legislation gives Chicago Public Schools a four-month extension to decide which schools to close. Status: Public Act [97-1133](#).

IDNR Sustainability Package (SB 1566)

This legislation increases the current \$99 license plate renewal fee by \$2. The increased revenue will be used to fund the Illinois Department of Natural Resources (IDNR), particularly capital construction at state parks. IDNR estimates that increased annual revenues to the department will be approximately \$32 million. Status: Public Act [97-1136](#).

Candidate Petition Filing Deadline (SB 3338)

This legislation changed the last day for filing a candidate petition to December 26 from December 24. It requires municipal offices to be open on Christmas Eve. In addition, the bill contains language that allows the Governor to issue an order for the special election to replace Congressman Jesse Jackson, Jr. (House District 2) to coincide with the consolidated local elections in April 2013. Status: Public Act [97-1134](#).

OTHER LEGISLATION**Tax Liability and Transparency (SB 282)**

This legislation would require certain publicly traded corporations that do business in the state to disclose their income tax liability. It would also require this information to be made publicly available through the Secretary of State in an on-line, searchable format. Status: Referred to House Rules Committee, deadline extended to January 8, 2013.

Immigrant Drivers' Licenses (SB 957)

This legislation would allow the Secretary of State to issue driver's licenses to illegal immigrants who have resided in the state for a more than a year, are ineligible to obtain a Social Security number, and are unable to present documentation issued by the U.S. Citizenship and Immigration Services. Status: Assigned to House Transportation: Vehicles & Safety Committee; deadline extended to January 8, 2013.

ACTION REQUESTED: Informational

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MEMORANDUM

To: CMAP Board
From: CMAP Staff
Date: January 2, 2013
Re: 2013 State Agenda and Revised State Legislative Framework

Last year, the CMAP Board approved a State Legislative Framework document to help shape our response to legislation or other state policy. CMAP created this document as a guideline to the Governor and his staff, legislators and their staffs, and CMAP partners for reference when developing and considering legislation that impacts northeastern Illinois. Staff has revised the State Legislative Framework to reflect progress made over the last year based on CMAP activities.

The 2013 State Agenda is developed in advance of the 98th Session of the Illinois General Assembly and serves as a guide for us on what we should actively pursue. The agenda is based on the adopted GO TO 2040 Plan. This document also serves as a guideline to legislators or groups developing and considering legislation that impact CMAP's work. The agenda does not indicate positions on specific legislation, it identifies general issues of interest to CMAP, which have historically been addressed by the General Assembly. Many other issues arise during the legislative session that are not listed in the Agenda and will be addressed using the 2013 State Legislative Framework. We will always communicate with legislators and staff regarding CMAP positions on specific bills throughout the legislation session. For this calendar year, staff is recommending the following priorities be pursued as appropriate with the Governor, Illinois General Assembly, relevant state agencies, and key partners. Based on your feedback and direction at the Board meeting, we will outline a strategy to accomplish these priorities.

ACTION REQUESTED: Approval of the State Legislative Framework and Agenda

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During the 98th session of the Illinois General Assembly, the Chicago Metropolitan Agency for Planning (CMAP) is pursuing the following priorities as appropriate with our regional legislative delegation, relevant state agencies, the Governor and his staff, and CMAP partners. The agenda was based on the adopted GO TO 2040 plan, current priorities of the Governor and the General Assembly, and discussions with key leadership and CMAP partners. Additionally, many issues arise during the legislative session that are not listed below and will be addressed using the State Legislative Framework document.

CMAP Funding

To fulfill the legislative mandate that created CMAP, in 2007 the Illinois General Assembly established the Comprehensive Regional Planning Fund (CRPF), which supported effective planning in urban and rural areas of the state. In addition to supporting CMAP's important non-transportation work -- such as planning and policy development for housing, water, natural resources, economic development, and more -- the fund provided an essential match of our agency's federal transportation planning dollars. CMAP received funding from the CRPF for two fiscal years, 2008 and 2009.

For the past several years, the state's fiscal difficulties have resulted in deep budget cuts that included suspension of appropriations for the CRPF. In FY11, the General Assembly took the additional steps of "sweeping" the CRPF (i.e., transferring these dollars to the General Revenue Fund) and passing legislation to dissolve the fund. For the past four years, the Illinois Department of Transportation has provided replacement funds for the CRPF. Dissolving the fund was a critical setback in the state's commitment to effective planning across Illinois. This issue needs to be addressed to ensure that CMAP has a stable, dedicated funding source to effectively implement the comprehensive vision of GO TO 2040. **CMAP supports efforts to diversify its funding support from the State to secure stable dedicated non-transportation funding in addition to a \$6 million appropriation under Metropolitan Planning and Research in the IDOT FY14 budget for statewide metropolitan planning organizations (MPOs).**

State Fiscal Health and Tax Policies

CMAP closely monitors state fiscal policies because the Chicago region's ability to implement GO TO 2040 is significantly shaped by the fiscal and tax policies decisions made at the state level. GO TO 2040 emphasizes the importance of clear investment priorities to support our workforce, our communities, and our infrastructure. These investments are vital for northeastern Illinois to remain economically competitive in the 21st Century. The State's ability to make these investments will be increasingly affected by rising pension obligations, Medicaid costs, debt service payments, non-transparent budgeting, and a shrinking tax base. In Illinois, sales and income tax rates (inclusive of the personal property replacement tax rate) remain relatively high, while the overall tax base remains increasingly narrow. CMAP's Regional Tax Policy Task Force's advisory report recommended broadening the state's tax bases to align with the changing economy and demographics, for example adding more services to the tax base. It is vital for the State of Illinois to regain its fiscal footing. **CMAP supports comprehensive reforms to the State's pension program that will help close budget deficits, maintain essential services, and restore fiscal responsibility. In addition, CMAP will support legislative initiatives that broaden the sales and income tax bases to keep rates low and the state economically competitive.**

Transportation Investments and Revenues

Investments in transportation infrastructure continue to be crowded out by increasing pension payments and other debt obligations. The lack of priorities or criteria for selecting capital projects in a time of diminishing resources deteriorates our transportation network, a core factor to economic competitiveness. Oftentimes a capital bill is developed without the identification of new revenues. There are numerous transportation needs in northeastern Illinois that cannot be entirely funded by existing revenue streams, i.e., motor fuel tax and tolls. The Illinois General Assembly should increase the MFT and encourage innovative financing options, such as congestion pricing and value-capture. **CMAP will support legislation to increase the existing 19 cents per gallon gasoline tax and index the tax to inflation, of which a portion of these proceeds should be devoted to transit. Additionally, CMAP will support legislation that enables the creation of value-capture districts, to allow increased regionwide flexibility to finance all modes of transportation.**

Performance-based Transportation Funding

GO TO 2040 recommends that transportation funding decisions be based on transparent evaluation criteria, utilizing performance measures developed by the State, MPOs and the region's transportation stakeholders. Since the implementation of GO TO 2040, CMAP staff has engaged state, regional, and local partners in a multiple conversations about the benefits of a more transparent process for allocating scarce capital dollars. Furthermore, the recently-passed federal transportation reauthorization bill, Moving Ahead for Progress in the 21st Century (MAP-21), signals a new federal emphasis on outcome-based performance measurement. **CMAP supports an initiative that urges the formation of a technical advisory group for implementing performance-based funding for transportation.**

State/Regional Water Planning and Management

Water 2050 noted something that has become all too apparent with the drought of 2012--even in a state blessed with an abundance of water, shortages are a real concern. Now more than ever, the State of Illinois and the Chicago metropolitan region are vulnerable to drought, shortage, and conflicts between water users. Much needs to be done to maintain sustainable water supply for the region, and the State, however, this cannot be accomplished without new, sustainable funding for water supply planning and management. In 2006, the State provided funding for state and regional water planning. This funding depleted steadily as the Illinois Department of Natural Resources (IDNR) continued to adjust to budget reductions due to limited state revenues. **CMAP supports increasing funding to IDNR with new revenues that will support state and regional water resources planning, with a portion to be directed to the 11-county CMAP water planning area.**

Transparency and Accountability

Government budgets are increasingly complex and citizens have the right to know how their tax dollars are being spent, especially in tough fiscal times. Data and information sharing through transparent and open governments improves efficiency and accountability. GO TO 2040 asserts that data which does not jeopardize personal privacy or public safety should be made available in a functional format, online and disseminated in a timely fashion. Most issues in today's policy and planning environment are fundamentally data-driven and cross-jurisdictional, and it is incumbent on all levels of government to engage in robust data sharing. As a public agency, CMAP relies on other agencies' data to complete its own work in planning and transportation programming. In addition to providing this data, governments should share how decisions are being made. The process by which data are selected and used to establish policies, prioritize projects, and administer funding is important to understanding how government operates and will help policy makers at all levels of government make better and more informed decisions. **CMAP supports legislation that facilitates more data and information sharing, especially at the budget and appropriations level, and requires agencies to report and make public agency program outcomes and results.**

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About CMAP

The Chicago Metropolitan Agency for Planning (CMAP) is the official regional planning organization for the northeastern Illinois counties of Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will. CMAP developed and now leads the implementation of GO TO 2040, metropolitan Chicago's first comprehensive regional plan in more than 100 years. To address anticipated population growth of more than 2 million new residents, GO TO 2040 establishes coordinated strategies that help the region's 284 communities address transportation, housing, economic development, open space, the environment, and other quality-of-life issues. See www.cmap.illinois.gov for more information.

Revised December 26, 2012



The State of Illinois is key to the success of GO TO 2040 implementation. It allocates nearly \$50 billion per year across various program areas and plays a significant role in operating and maintaining the transportation system, promoting economic development, and maintaining and preserving our natural resources. The State's ongoing fiscal crisis, driven by an estimated \$85 billion and growing unfunded pension liability, continues to crowd out many of these investment priorities. Using GO TO 2040 as a guide, this document highlights policy priorities for CMAP during the 2012 legislative session. Generally speaking, CMAP is most interested in issues with a regional or statewide impact or those that could serve as precursors to broader, more comprehensive legislation. The document includes priority issues and legislative principles based on GO TO 2040's recommendations. The principles were developed to guide staff and inform our partners, the Governor, legislators, state agency directors, and others about CMAP's policy positions regarding legislative initiatives being discussed or introduced in the 98th General Assembly.

The Role of CMAP

Many public policy issues transcend local jurisdictions or can be too large an undertaking for any one unit of government. Issues such as economic development, transportation, wastewater management, water supply and improving the quality of life in our region are examples of challenges that require regional cooperation. Regional planning helps coordinate efforts and resources within a metropolitan area and provides local, state and federal governments with a unified vision. As the official regional planning organization for the northeastern Illinois counties of Cook, DuPage, Kane, Kendall, Lake, McHenry and Will, the Chicago Metropolitan Agency for Planning (CMAP) is mandated by state statute to develop and guide the implementation of the region's first comprehensive regional plan, GO TO 2040. The plan was adopted in October 2010 and builds on the region's assets, identifies shortcomings, and recommends actions that will help sustain the region's economic vitality and global competitiveness. CMAP and GO TO 2040 serve an important role by identifying regional interests and impacts regarding actions being taken at various levels of government. CMAP is in a unique position to directly impact and improve the quality of life of more than eight million residents, more than half the state's population. To that end, CMAP is committed to working with the Governor, legislators, local elected officials, agencies and other partners in protecting and enhancing the quality of life for all who live and work in northeastern Illinois.

CMAP's Legislative Principles

Pursue Coordinated Investments

Metropolitan regions drive the U.S. economy, but state governments make most of the decisions about how and where to invest our tax dollars. The state all too often spreads those resources around too thinly, which undermines the ability of regions to implement plans – no matter how well-conceived. To harness the economic power of regions like ours, GO TO 2040 recommends that the state return and invest more resources in metropolitan areas and give those areas more authority to decide how to use those funds. Such a regional approach could focus state investments to maximize their economic impact.

Legislative Principle

CMAP will support legislative initiatives that foster interjurisdictional collaboration and focus state resources toward metropolitan regions, which will maximize economic returns for the State of Illinois.

Invest Strategically in Transportation

The future prosperity of Illinois depends on strategic transportation investments, and this requirement is especially pertinent in tough economic times. However, our current investment practice is often predicated on arbitrary formulas rather than economic or performance-based criteria. Illinois, unlike many other states, lacks a transparent, performance-driven approach to programming its transportation. GO TO 2040 emphasizes that the state and other transportation implementers prioritize efforts to maintain and modernize existing assets before expanding the system, and that investments of all types take a multimodal approach, with consideration for all users. Additionally, the state's larger capital funding process is inadequate and occurs too infrequently, averaging about one funding package per decade. Dependable, predictable funding is crucial for complex, long-term transportation projects.

In addition to emphasizing strategic transportation investments, GO TO 2040 recommends increasing transportation funding through several new or expanded sources. The generation of new revenues must be done through efficient, sustainable user fees, which should better reflect the actual costs of maintaining and operating the system. Additionally, user fees should reflect broader social costs of transportation, such as the costs of traffic congestion.

Legislative Principles

CMAP will support legislative initiatives that establish more robust statewide measures for allocating transportation funds, establish a transparent and accountable process within IDOT to grant metropolitan regions more decision-making authority and flexibility in funding regional priorities.

CMAP will support legislative initiatives that increase and index the existing motor fuel tax to support the transportation system. Additionally, CMAP will support legislation to permit and encourage innovative transportation finance measures that reflect the marginal costs of using the system. Policies such as congestion pricing support more efficient management of existing transportation assets and encourage travelers to make judicious use of our scarce transportation resources.

CMAP will support efforts to include state capital program funding as part of the annual budgetary process, rather than in the form of infrequent state capital program packages. Again, project selection should be based upon performance criteria.

Increase Commitment to Public Transit

Public transportation is an essential component to the future economic prosperity of our region. The mobility choices provided by transit makes our region attractive for new businesses and residents alike. After decades of underinvestment, our transit system requires substantial funds to return to a good state of repair. The top priority of GO TO 2040 is to maintain and operate the existing transportation system - and transit is no exception. The goal is to move the system toward a "state of good repair," the point at which all transit facilities are in good condition and there is no backlog of capital maintenance. The plan also recommends a limited and conservative approach to expansion of service in the region. GO TO 2040 encourages the state to support transit-oriented development through its transportation, housing and economic development investments. GO TO 2040 also recommends securing new sources of revenue to support transit, including dedicating a portion of the proposed gas tax increase to transit, as well as some portion of future congestion pricing revenues.

Legislative Principle

CMAP will support legislative initiatives that provide more resources for the maintenance and modernization of our transit system, that encourage innovative transit financing, and that provide for reasonable expansion of the transit system as described in GO TO 2040.

Create a More Efficient Freight Network

By any measure, our region is the nation's rail and truck freight hub, and the state has a vital role to play in ensuring that we maintain this position. In partnership with the federal government and the region, the state should prioritize the implementation of the CREATE rail improvement program. Truck traffic in the region is also important, and the state can take a leadership role in identifying opportunities for dedicated freight corridors and access improvements to intermodal facilities and terminals. Funding and implementing specific freight improvements must be a priority, but should be accomplished efficiently, equitably and on a metropolitan scale. GO TO 2040 recommends the exploration of a regional freight authority that would prioritize and finance freight infrastructure in the metropolitan area.

Legislative Principle

CMAP will support legislative initiatives that fund CREATE, efficiently and effectively improve regional truck oriented intermodal and terminal access, and that explore regional or statewide governance solutions to funding and prioritizing freight capital projects.

Achieve Greater Livability Through Land Use And Housing

Our state has an important role to play in helping communities strive toward the principles of livability – healthy, safe, walkable communities that offer transportation choices for access to schools, jobs, services and basic needs. More coordinated investment among transportation, environmental and housing expenditures can go a long way toward ameliorating some of the unintended consequences that can sometimes occur when policy areas are evaluated separately. Additionally, while housing and land use decisions have traditionally been the purview of individual municipalities, many of the region's communities have realized that they face common problems like foreclosure prevention or prioritizing investments in affordable housing. As a result, they have created structures and organizations to address these problems with shared resources and solutions. However, state funding for housing and land use initiatives is often available only at the municipal level, limiting the ability of these organizations to receive funding and carry out multijurisdictional strategies.

Legislative Principles

CMAP will support legislative initiatives that align funding across various state agencies for planning, ordinance updates and capital investments that align with GO TO 2040's livability principles.

CMAP supports legislative initiatives that promote reinvestment in existing communities and align with the livability principles of GO TO 2040. Specifically, CMAP supports initiatives and programs that are competitive, offered on a statewide or regional basis, allocate funds based on need, and are based on comprehensive evaluation criteria considering the interconnected focus areas of transportation, housing, the environment and economic development.

CMAP supports legislative initiatives that provide funding or assistance to multijurisdictional organizations seeking to address shared housing and land use problems. This can be achieved through expanding eligibility for existing resources or providing new resources for multijurisdictional organizations.

Manage and Conserve Water and Energy

The conservation of water and energy is a top priority for GO TO 2040. In the next 30 years, these resources will likely become more constrained, affecting business, government and residents. The energy priorities in GO TO 2040 are focused on meeting needs through demand reduction and for our region to determine a path to increase the use of renewable energy options. For water, implementing conservation and water supply planning recommendations outlined in *Water 2050* are critical to maintaining a sustainable water supply for the region and the State, however, this cannot be accomplished without new, sustainable funding for water supply planning

and management. It is likewise critical that funding for infrastructure itself support sustainability, particularly through a shift toward paying for the full costs of infrastructure through user fees. This is important in drinking water, stormwater, and wastewater systems. Finally, integration of land use and resource planning should play a central role in achieving better conservation. A key component to this is the support of watershed planning and the development of appropriate tools to manage the impact of growth on water resources.

Legislative Principle

CMAP will support energy and water conservation initiatives that meet our needs, yet reduce demand; establish new, sustainable funding for state/regional water management; incorporate more renewable energy options and technologies; and promote integrated water and land use planning through multi-objective planning.

Expand and Improve Parks and Open Space

The State of Illinois plays an important role in conserving natural areas, promoting access to parks, and providing funding through various grant programs to local governments for acquiring and managing parks and open lands. The state operates and maintains large quantities of open space throughout northeastern Illinois and IDNR has been a leader in land acquisition and helping the region achieve various parks and open lands objectives. A top priority of GO TO 2040 is to expand the green infrastructure network. To do so, CMAP recommends making significant, criteria-based investments in parks and open space. Major benefits will follow from this, including enhanced quality of life and property values, improved public health through the promotion of active lifestyles, and the protection of ecosystem services like biodiversity, water supply, flood storage, and water purification. CMAP and GO TO 2040 recommend that an additional 150,000 acres of land be preserved over the next 30 years through a collaborative, multi-organizational, public-private approach.

Legislative Principles

CMAP will support legislative initiatives that coordinate open space investment to create a connected green infrastructure network and prioritize preservation of the most important natural areas.

CMAP will support legislative initiatives that increase funding to provide parks and conserve land, that invest in the establishment of new parks and policies that provide green connections through greenway trails.

Promote Sustainable Local Foods

Food — like air, water and shelter — is a basic human need and directly influences the economy, environment, public health and overall quality of life. Hunger and food scarcity continue to be major issues of concern in our region and across the state. The Illinois Department of Human Services (IDHS) and the Illinois State Board of Education (ISBE) administer and/or oversee many of the nutrition and hunger-relief programs that operate in Illinois. Better alignment of government agencies and services across the region and state can enhance program delivery around the needs of individuals and families. In addition, the use of technology and better data and information systems can streamline programs and services and make it easier for residents to apply for and renew for certain services.

Legislative Principle

CMAP supports legislative initiatives applied statewide or regionally that facilitate sustainable local food production, increase access to safe, fresh, affordable and healthy foods, and improve local food related data, research, training and information sharing.

Improve Education and Workforce Development

Researchers, business leaders and elected officials agree that the quality of our workforce is one of the most important factors — if not the most important — in strengthening the region’s economy. Like other states, Illinois makes large expenditures toward schools, from pre-kindergarten to community colleges to the university system. The state can help support the goals of GO TO 2040 particularly by ensuring that these expenditures are achieving the desired outcomes of increased educational attainment and preparing our residents for the jobs of tomorrow. GO TO 2040 emphasizes the importance of strengthening workforce development programs, which can have a significant role in sustaining economic growth by providing an important intermediary function in the labor market. The sheer complexity of the workforce development system can be strengthened through more coordination and better information networks to track, measure and analyze performance.

Legislative Principles

CMAP will support legislative initiatives that align workforce development, education and economic development initiatives to measure outcomes, and efforts that improve data-driven decision making.

CMAP will support legislative initiatives that increase flexibility and improve delivery of workforce development services, including the strengthening of community-focused provision of services.

Support Economic Innovation

Economic innovation, the process by which new ideas transform into new goods and services, is generated largely by the private sector, but the public sector has an important role to help spur innovation by supporting ideas, institutions and relationships. The regional economy can gain substantial benefits from innovation through the creation of high-paying jobs, specifically knowledge and high-tech jobs. Data indicates that the region is underperforming across a variety of innovation measures, and is falling behind compared to other U.S. metropolitan areas. It will require serious action to increase economic innovation to keep the metropolitan Chicago region thriving and globally competitive. GO TO 2040 suggests the state use enhanced data to evaluate financial incentives and programs and target them toward the attraction and retention of innovative industries with good jobs. The state can strengthen its focus on nurturing regional industry clusters like freight and logistics, advanced manufacturing, and biopharmaceuticals, and work with industry coalitions to secure and leverage public and private funding.

Legislative Principle

CMAP will support legislative initiatives that evaluate and expand successful programs, improve data-driven decision making, and target investments towards the region’s industry clusters.

Reform State Tax Policy

Tax policy is essentially the responsibility of state government and affects communities across the entire state. Illinois’ current fiscal crisis results not only from an unfunded pension liability and unsustainable Medicaid growth, but also the State’s reliance on an eroding tax base, which is out of step with changes in the economy and demographics. CMAP’s specific interest in tax policy is how it influences the overall economic wellbeing of the metropolitan region, including the commercial, industrial, and residential development of our communities. The state’s tax policies sometimes distort land use decisions rather than allow markets or quality of life factors to guide them. In particular, the sales tax can foster intense competition among different local governments about the attraction or retention of retail business, to little or no regional benefit. In Illinois, sales and income tax rates (inclusive of the personal property replacement tax rate) remain relatively high, while the overall tax base remains increasingly narrow.

Legislative Principle

CMAP supports legislative initiatives that reform state tax policy through 1) careful expansion of the sales and income tax base, 2) careful modification of state and local revenue sharing structures to encourage regional collaboration and broader GO TO 2040 development goals, and 3) increased transparency of the system, including tax incentives and rebates.

Improve Access to Information

Most state agencies control large amounts of data and information. Policy challenges cannot be solved – and efficient governance cannot be achieved – without comprehensive, current and accurate data resources. Residents are served best when government information is freely accessible to all. When public bodies have access to complete, accurate and timely information, leaders can make decisions that are better for our communities, our region and the state.

Legislative Principle

CMAP will support legislation that expands the dissemination of state data, helps local governments post data online, facilitates opportunities to form partnerships around data-sharing pilot projects with other interested regional partners, and helps implement best practices and technological improvements that facilitate open exchange of data.

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About CMAP

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