



Chicago Metropolitan Agency for Planning

MEMORANDUM

233 South Wacker Drive
Suite 800
Chicago, Illinois 60606
312 454 0400
www.cmap.illinois.gov

To: Council of Mayors Executive Board

From: CMAP Staff

Date: August 16, 2011

Re: Final Report – 2011 Spring Session

LEGISLATIVE NEWS

Redistricting

Illinois Republicans filed suit Wednesday, July 20, seeking to overturn the state's newly-drawn legislative boundaries. The lawsuit, filed in federal court in Chicago, claims the new boundaries place more than two dozen incumbent Republican lawmakers into the same district and fail to create enough Latino and black voting districts. Another lawsuit was filed to challenge the congressional map approved by the Governor. The lawsuit alleges the map creates a super majority of Latino voters in the Fourth Congressional District and protects Democratic incumbents causing some Republican candidates to face each other in elections.

Member Updates

Senator Susan Garrett (D-Highwood) announced that she will not seek re-election. She serves the 29th State Senate District, which includes communities along the north shore of Lake Michigan. Her current term ends in January, 2013. She began her career in the House in 1997.

Earlier this summer, northeastern Illinois lost a leader in the House, Rep. Mark Beaubien Jr. He served seven years, representing the 52nd House District which included communities in Lake and McHenry counties. He worked closely with leaders on budget-related matters and was well-respected on both sides of the aisle. His successor will be House Republican Appropriations Director Kent Gaffney. He resides in Lake Barrington.

State Budget

Just shy of the new state fiscal year the Governor approved a \$32.98 billion budget. He made cuts in the amount of \$376 million, consisting primarily of Medicaid obligations, school transportation funding and the operations and compensation for regional superintendents of schools. For more information on the cuts, [click here](#). Any specific line item vetoes will be sent back to the General Assembly for consideration.

Capital Bill

On Monday, July 11, the Supreme Court unanimously upheld the constitutionality of the \$31 billion capital spending plan stating that the subject of capital projects has a “natural and logical connection” to the subject of revenue. In 2009, the state passed the capital spending plan (public Act 96-34) to pay for the "Illinois Jobs Now" program. Shortly after the passage a lawsuit was filed by Wirtz Beverage Illinois, LLC, alleging a violation of the single subject clause of the Illinois Constitution. This suit was rejected by the lower courts, and then reversed by the Appellate Court early this year. The Appellate Court found that the provisions of Public Act 96-34 were not all related to the single subject of “revenue” contained in the official title. However, the Supreme Court opined that the single-subject rule was not limited to the title and evaluated the legislation as a “capital projects” plan, which it found to be a legitimate single subject. The plan included numerous projects for schools, roads, sewer and other critical infrastructure. The sources of revenue to pay for the program that caused the controversy and the legal battle. These include legalized video poker, increases in driver's license and license plate fees, and higher taxes on alcohol, candy, soft drinks and beauty products.

Committee Hearings & Reports

The House and Senate had a few committee hearings in July. The first was a joint House Revenue & Finance and Senate Revenue Committee. The committee discussed Illinois’ business tax structure and incentive programs. The CMAP [Policy Update](#) contains a summary of the hearing. This committee scheduled three more hearings in the following communities: Rockford (8/2/11), Springfield (8/23/11) and Marion (8/30/11).

The Small Business and Workforce Development Committee also met in July. The topic was unemployment and job creation. The meetings were either occurring at the time of this report or after this report was distributed; therefore no additional information was available.

A joint committee of the Senate Local Government and Transportation committee met Friday, July 29 to review Metra's proposed reduction of service and possible rate hikes. Testimony was given by both Metra and the RTA. The panel inquired about rising fuel costs impacting Metra’s budget and how the service boards and RTA are working to consolidate services or benefits to provide cost savings for the future. Another joint hearing is scheduled later this year between the House Mass Transit and Senate Transportation Committees.

BILLS SIGNED BY THE GOVERNOR (**Bills that support GO TO 2040*)

Alternate Fuels Act [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. **Public Act** [97-0090](#).

***IDOT Freight Plan** [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. **Public Act [97-0032](#)**.

***Local Government Consolidation Commission [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. **Public Act [97-0316](#)**.

***Truck Routes [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. **Public Act [97-0291](#)**.

***Bus Rapid Transit [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. **Public Act [97-0292](#)**.

Universal Fare Card for Seniors [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. **Public Act [97-0271](#)**.

IDOT Protected Corridors [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. **Public Act [97-0279](#)**.

BILLS VETOED

High Speed Rail Committee [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. VETOED.

BILLS SENT TO THE GOVERNOR

***RTA ParaTransit Funds 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.

***Public-Private Partnerships for 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. IDOT has some concerns with the bill, which are being addressed.

POTENTIAL FALL VETO SESSION ISSUES

Many bills that did not pass during the spring 2011 session of the Illinois General Assembly have been or will be worked on this summer in order to introduce new or agreed upon language during Veto Session. CMAP tracked a few bills that are getting revisited this summer in preparation for the fall veto session.

***County Stormwater Fee HB 3372** – Rep. Fortner (R-West Chicago); Sen. Koehler (D-Pekin) – CMAP SUPPORTS 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. Concerns for the bill came from the real estate community.

***Rainwater Harvesting SB 38** – Sen. Garrett (D-Highwood); Rep. Sente (D-Lincolnshire) – CMAP SUPPORTS 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.

Sales Tax Sourcing SB 397 – Sen. Hutchison (D-Chicago Heights); Rep. Currie (D-Chicago) – CMAP is NEUTRAL on this bill. The bill specifies that sales taxes imposed by the State and units of local government, sales are attributed to the unit of local government where the purchase order is accepted. HA1 provides new guidance for where the retailers' occupation tax liability is given and allocating the local share of the state tax imposed. Negotiations continue to take place with the goal to address the issue in the fall. **HA1 re-referred to Rules Committee.**

Energy Infrastructure Modernization Act SB 1652 – Sen. Jacobs (D-Moline); Rep. McCarthy (D-Orland Park) – CMAP is NEUTRAL on this bill. Authorizes public utilities to invest roughly \$2.6 billion to modernize the electric infrastructure and provide a digital smart meter for every residential customer. The bill includes new performance standards on reliability, customer service, and job creation with penalties to utilities that fail to meet them. ICC retains authority and oversight to review and set rates. The ICC would set rates each year after an eight-month proceeding where utilities would have to demonstrate that investments and operating costs are prudent and reasonable. Annual residential increases are held to no more than 2.5% on average for the first three years of the program. The bill also includes clean energy provisions and removes barriers for renewable energy with new energy efficiency programs. The bill sunsets in six years. The Governor and the Attorney General remain concerned about consumer protections, in an effort to protect the bill from a gubernatorial veto Senate Majority Leader Cullerton put on a **Motion to Reconsider**.

Intermodal District (no bill number)

During the spring session, Senator Wilhelmi introduced legislation to address overweight truck fees and fines. Concerns were raised by local government. This language creates the Illinois Transportation District Authority, which would have authority over roads within the designated district. Local governments would turn over roads they used to manage, maintain or rehab to this district, which would create user fees for the roads and develop regulations for freight traffic in order to manage the system.

ACTION REQUESTED: Informational

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