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Transportation 'lockbox' amendment could affect local spending

Dan Petrella Times Bureau Oct 24, 2016

SPRINGFIELD — Supporters of a proposal to create a “lockbox” for transportation funds say an amendment to the Illinois Constitution is necessary because the General Assembly too often diverts money meant for roads and bridges to other purposes.

But critics of the proposed amendment, which will be put to voters Nov. 8, point out that the new rule wouldn't apply just to the state. Local governments also would be restricted in how they could use revenue from local gas taxes, vehicle stickers, parking meters and other transportation-related sources.

“Many local governments use a portion of their road tax proceeds to help pay for their operating costs in collecting (taxes) and administering their governments,” said Laurence Msall, president of the Civic Federation, a Chicago-based budget watchdog. “This will put into a constitutional question whether they will be able to continue to do that.”

Resolving that question could result in lawsuits that would likely go all the way to the Illinois Supreme Court, Msall said.

The Illinois Municipal League, which lobbies on behalf of cities and villages across the state, has not taken a position on the proposed amendment.

Brad Cole, executive director for the league, said the group's board recently heard a presentation from Citizens to Protect Transportation Funding, a coalition primarily composed of road builders and labor unions that backs what it calls the “Safe Roads Amendment.”

“There were several questions and inquiries that we are gathering more information about to answer concerns that mayors had,” Cole said earlier this month. “And in the interim, we have not taken a position on the proposal.”

The Chicago Metropolitan Agency for Planning, which is responsible for regional planning in northeastern Illinois, also has raised questions about the proposal's impact on municipalities.

“Many local governments in the region raise revenues from the transportation system that are not always directly reinvested in transportation improvements, including vehicle registration stickers and local option motor fuel taxes,” the agency noted in a recent memo to board members.

But local leaders in some downstate communities aren't concerned about how the amendment would affect them.

Decatur City Manager Tim Gleason said the city already devotes its local gas revenue to road projects. The City Council in February approved new charges of 5 cents per gallon of unleaded gasoline and 1 cent per gallon of diesel.

Reserving the money for road projects “was my intention when I presented and proposed it to this council, and I know this council has every intention for it to remain dedicated to local roads,” Gleason said.

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Bloomington City Manager David Hales likewise said the amendment wouldn't present any problems for the city, which collects a 4-cent local tax on each gallon of gasoline and charges a 0.75 percent use tax on residents' vehicle purchases.

“I don't see how that constitutional amendment's going to impact us on either one of those,” Hales said, adding that Bloomington uses the revenue to pay for transportation-related expenses.

The amendment also would ensure the maintenance of state roads that run through the city, he said.

Mike Sturino, president and CEO of Illinois Road and Transportation Builders Association and a spokesman for Citizens to Protect Transportation Funding, said municipalities should be commended because the vast majority are already doing what the amendment would require of all Illinois governmental units.

"In ... nearly every case in local government, the revenues spent on transportation far exceed the revenues generate from transportation-related activities," said Sturino, a former village attorney and administrator. "The localities are already doing the right thing."

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