



Chicago Metropolitan Agency for Planning

Agenda Item No. 7.0

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MEMORANDUM

To: CMAP Board
From: CMAP Staff
Date: May 1, 2013
Re: State Legislative Update

Activities intensified in April with numerous deadlines to move bills from committees to the floor for passage. At this point, any bill that has not successfully been voted out of its originating chamber will be re-referred to Rules or Assignments. Bills can move forward in the legislative process if they are granted a deadline extension by leadership. CMAP has been tracking more than 350 bills this session, but very few remain active. Bills included in the table that follows impact CMAP's [2013 State Legislative Framework](#) or are of interest to CMAP's partners. Bills included in the table remain active, while bills that have stalled in the legislative process are listed on the last page of this memorandum.

Staff will continue to closely monitor legislative initiatives that are particularly relevant to CMAP and the 2013 [Legislative Agenda](#). One bill that impacts CMAP directly is [SB1594](#), which proposes to merge the Regional Transportation Authority (RTA) and CMAP. The bill is sponsored by Senator Terry Link and calls for the formation of a transition committee to develop detailed plans to integrate staff and operations of the two agencies. The bill has raised concerns by mayors and other local elected officials in the region. In response, Metropolitan Mayors' Caucus has created a taskforce to help facilitate dialogue in the region about the proposed merger. The RTA is also opposed to the bill. [SB1594](#) missed the third reading deadline and has now been re-referred to Senate Assignments. Typically, bills sent back to Assignments are no longer active. It is our understanding that Senator Link will not advance the bill until the taskforce has provided recommendations.

Regarding the state's fiscal health, the House and Senate have taken two different approaches to address the pension reform issue. In the House, members voted on individual changes to the system, while the Senate voted on a comprehensive version that included each of those individual measures. The measures passed in the House, but not in the Senate. The different approaches are a result of the Constitutional interpretation and projected savings from the reforms. A [policy update](#) includes more information regarding the pension legislation that was

passed by each chamber. A new pension package was proposed by Speaker Madigan ([SB1-HA1](#)) that includes a number of the previously passed measures, for details please refer to the [fact sheet](#). The next few weeks will be focused on pension reform as House and Senate committees will evaluate the proposals passed in the opposite chambers.

Both House and Senate Appropriations committees convened in April to consider proposed Fiscal Year 2014 allocations for the operating budgets of state agencies. CMAP monitored the hearings for the Illinois Department of Commerce and Economic Opportunity (DCEO), Department of Natural Resources (IDNR), and Department of Transportation (IDOT). In general, the hearings were an opportunity for the state agencies to provide an overview of the departmental budgets, as proposed in the Governor's budget announcement on March 6, and present supporting testimony. By-in-large, legislators asked very few questions about the proposed budgets. In its current form, IDOT's proposed budget includes funding for the metropolitan planning organizations statewide at \$6 million, of which CMAP receives \$3.5 million.

As was mentioned in March, early conversations regarding the development of a new transportation capital bill have begun. The Transportation for Illinois Coalition (TFIC) hosted several meetings with local elected officials, business leaders and legislators throughout the state. CMAP remains involved in these conversations, advocating that investment in the state's transportation must be based on transparent evaluation criteria that support the needs of an economically competitive state and include key stakeholders, like MPOs. [HB 1549](#), which stalled a House Transportation Subcommittee, would have improved processes for allocating existing transportation funds by compelling IDOT to implement an expanded approach to performance-based programming.

Water and natural resources issues have seen little movement this session, but an initiative that creates a pilot-program for a stormwater utility advanced to the Senate floor. [HB 1522](#) allows DuPage and Peoria counties to consider the adoption of a stormwater utility in place of a property tax to fund flood control projects, construction of facilities and mandated water quality programs. CMAP supports stormwater utilities and recently published a [report](#) regarding the value of these utilities.

Several transparency and accountability-related bills advanced, including [HB 3199](#). This bill would require the [Commission on Government Forecasting and Accountability](#) to hold a hearing within 30 days after the Governor's Budget Address to the General Assembly to consider CMAP's annual report and its impact on the State budget. CMAP is neutral on this bill; Senator Hutchison is the sponsor.

A number of other high profile issues were also tackled last month. The House failed to approve two versions of concealed carry legislation. One bill proposed a "may issue" standard that would have provided local law enforcement with discretion over who would be issued concealed carry permits. The second proposed a "shall issue" standard, meaning that the state would be required to issue a concealed carry permit to any qualified applicant. In the Senate,

versions included stricter qualifications for Cook County and Chicago. The RTA, Pace, Metra, and CTA are advocating to continue the concealed carry ban on public transportation. The state is under a court-ordered deadline of June 9, 2013, whereby it must enact a law to protect the Second Amendment rights of Illinois residents to carry a concealable firearm. In the House, a measure was approved to create a pilot program for the use and sale of medical marijuana. The bill is headed to the Senate, where a similar bill was previously approved.

ACTION REQUESTED: Approval

May 2013 Legislative Summary

Subject	Bill	Summary	Status	Agency Position
PURSUE COORDINATED INVESTMENTS				
Local Government Dissolution	SB494	<p>Thomas Cullerton (D-Villa Park)</p> <p>Establishes the process for DuPage County to propose the dissolution of a local government by ordinance. The bill only applies to local governments that are entirely within DuPage County and the DuPage County Board Chair appoints a majority of its governing board, but not fire protection districts with more than three employees. The bill also establishes a trustee-in-dissolution charged with creating a plan for the dissolution of the government for the county board, including what functions would be undertaken by the County. The trustee would be able to increase or decrease service levels or decrease property tax levies, except in the case of fire protection districts.</p>	<p>04/25/2013</p> <p>Senate</p> <p>Passed 51-0-0</p>	Support
Township Dissolution	SB1585	<p>Daniel Biss (D-Skokie)</p> <p>Provides a process by which a single township within a county under township organization could dissolve. Currently, state statute does not provide a clear route to dissolving one township within a county that is under township organization. State statute only provides a mechanism for the dissolution of townships on a countywide basis. Under the bill, upon petition of at least 10 percent of registered voters in the township, a proposition to discontinue and abolish the township and transfer its responsibilities to the county would be put to a vote countywide. If the proposition passes countywide, then the township would be abolished. All responsibilities and taxing authority of the township would be transferred to the county.</p>	<p>04/24/2013</p> <p>House</p> <p>Assigned to Counties & Townships</p>	

Subject	Bill	Summary	Status	Agency Position
INVEST STRATEGICALLY IN TRANSPORTATION				
Funding	HB1295	Al Riley (D-Hazel Crest) Amends the Illinois Urban Development Authority Act (IUDAA), to expand the scope of permissible activities to include development, financing, and maintenance of transportation projects. The bill does not provide new revenue sources for redevelopment activities. Note that the IUDAA allows the Authority to issue revenue bonds, with a total cap of \$500 million, and to make loans. These bonds are to be repaid through revenues or income derived from loans issued, the leasing or sale of projects, or other sources. This addresses redevelopment in existing communities, it also supports preservation of land for both farm and or green redevelopment and it has a direct impact on our goal to increase and expand more open space in our region. The bill could also increase resources available for transportation investments in existing communities.	05/01/2013 Senate Passed Local Government	
Elgin-O'Hare	HJR9	Robert Rita (D-Blue Island) Authorizes the Tollway to build the Elgin O'Hare expansion and western access project. The Toll Highway Act requires a joint resolution of the General Assembly before the Tollway can issue bonds for or begin constructing a new Tollway. The resolution also calls on the Tollway to minimize environmental impacts, accommodate alternative modes of transportation, and support the involvement of diverse groups in the project and broader economic development in the corridor. This joint resolution is required for the Elgin-O'Hare project to move forward.	03/22/2013 House Placed on Calendar Order of Resolutions	Support
INCREASE COMMITMENT TO PUBLIC TRANSIT				
RTA Board	HB140	Jack D. Franks (D-Woodstock) Eliminates compensation and pension benefits for RTA board members.	04/23/2013 Senate Assigned to Licensed Activities and Pensions – 5/1 committee scheduled	
RTA Working Cash Notes	HB1389	Arthur Turner (D-Chicago) Allows the RTA to sell additional Working Cash Notes before July 1, 2016 (now 2014) that are over and above and in addition to the \$100,000,000 authorization.	04/16/2013 Senate Assigned to Transportation	

Subject	Bill	Summary	Status	Agency Position
RTA Fare Increases	HB2453	Al Riley (D-Hazel Crest) Requires both the Mass Transit Committee in the House and the Transportation Committee in the Senate to hold a public hearing regarding any increase in the revenue recovery ratio or any increase in fares or charges for public transportation.	04/24/2013 Senate Assigned to Transportation	
ACHIEVE GREATER LIVABILITY THROUGH LAND USE AND HOUSING				
Affordable Housing	SB1244	Sen. Terry Link (D-Gurnee) Establishes an Affordable Housing Trust Fund Pilot Program in Lake County. The statute would be expanded to give the Lake County Board the authority to impose a \$3 recording fee on real estate transactions to be deposited in an Affordable Housing Trust Fund. The authority is required because Lake County is not home rule. The Fund may be utilized for the purpose of providing financial support for affordable housing activities that address the housing needs of low-income and moderate-income households as determined by the county board. It appears that both capital and administrative expenses related to affordable housing are eligible. The bills could provide additional funding for affordable housing in Lake County, and tying funding to housing sales provides something of a connection between the fee and its use.	04/25/2013 House Arrived	Support
EXPAND AND IMPROVE PARKS AND OPEN SPACE				
Parks and Open Space Grants	SB1637	Dan Kotowski (D-Park Ridge) Amends the Open Space Lands Acquisition and Development Act (OSLAAD). Provides that at least 50% of any grant made to a unit of local government under the Act must be paid to the unit of local government at the time the Department awards the grant. Provides that the remainder shall be distributed quarterly on a reimbursement basis.	04/24/13 House Assigned to Agriculture & Conservation Committee	
MANAGE AND CONSERVE WATER AND ENERGY				
Water and Sewer Utilities	HB1379	Brandon W. Phelps (D-Harrisburg) Provides an alternative procedure that a large public utility may choose in establishing the ratemaking rate base of a water or sewer utility that the large public utility is acquiring.	04/24/2013 Senate Assigned to Energy	

Subject	Bill	Summary	Status	Agency Position
Stormwater Management	HB1522	Mike Fortner (R-West Chicago) Allows DuPage and Peoria counties to impose user fees for stormwater management.	04/17/2013 Senate 3 rd Reading	Support
PROMOTE LOCAL FOOD SYSTEMS				
Urban Composting	HB2335	Robyn Gabel (D-Evanston) The bill as amended would allow exemptions from permits for composting in urban and rural areas. Gives suburban local governments the ability to pass stricter ordinances. It also clarifies that these farms can bring in up to 10% additives (food scrap, manure, and other non-landscape waste) for composting.	04/24/2013 Senate Assigned to Environment	
IMPROVE ACCESS TO INFORMATION				
Public Hearing	HB3199	Al Riley (D-Hazel Crest) Requires the Commission on Government Forecasting and Accountability to hold a public hearing within 30 days after the Governor's Budget Address to the General Assembly to consider CMAP's annual report and its impact on the State budget.	04/30/2013 Senate Passed Senate Transportation	

PREVIOUSLY REPORTED BILLS THAT MISSED ORGINATING CHAMBER DEADLINES (DEAD BILLS)

[HB67](#) Property Tax-Green Energy SSA
[HB98](#) Pension CD-Reform State System
[HB985](#) Road Fund- No Transfers
[HB1037](#) County Farmland Preservation
[HB1487](#) DOT Roads-Life Cycle Cost
[HB1491](#) Township CD-Dissolution into Municipality
[HB1549](#) Infrastructure Projects
[HB2255](#) Counties CD-Affordable Housing
[HB2433](#) Fuel-Increase MFT- No Use/OCC
[HB2460](#) Road Fund- Apportion by District
[HB2479](#) Forest Preserve District Board
[HB2481](#) Local Government-Reduction Efficiency
[HB2615](#) Hydraulic Fracturing Reg Act

[HB2735](#) MWRD Charges for Service
[HB2940](#) South Suburban Brownfields
[HB3004](#) Property Tax-Green Energy SSA
[HB3132](#) Design Build-Transportation
[HB3158](#) RTA Muni-Sequestration Taxes
[HB3251](#) Local Government Unit Dissolution
[SB29](#) Road Fund No Transfers
[SB1341](#) Open Space Land Grants
[SB1432](#) Tax Exempt-Local Property Rehab
[SB1647](#) Transportation-Design Build
[SB2140](#) Motor Fuel Tax Fund Use
[SB2387](#) RTA Chairman-Veto Power