
 No. 127126

**IN THE
SUPREME COURT OF ILLINOIS**

ILLINOIS ROAD AND TRANSPORTATION BUILDERS ASSOCIATION,
FEDERATION OF WOMEN CONTRACTORS, ILLINOIS ASSOCIATION OF
AGGREGATE PRODUCERS, ASSOCIATED GENERAL CONTRACTORS OF
ILLINOIS, ILLINOIS ASPHALT PAVEMENT ASSOCIATION, ILLINOIS READY
MIXED CONCRETE ASSOCIATION, GREAT LAKES CONSTRUCTION
ASSOCIATION, AMERICAN COUNCIL OF ENGINEERING COMPANIES
(ILLINOIS CHAPTER), CHICAGOLAND ASSOCIATED GENERAL
CONTRACTORS, UNDERGROUND CONTRACTORS ASSOCIATION OF
ILLINOIS, AND ILLINOIS CONCRETE PIPE ASSOCIATION,

Plaintiffs-Petitioners,

v.

COUNTY OF COOK, a body politic and corporate,

Defendant-Respondent.

On Petition for Leave to Appeal from the Illinois Appellate Court,
First Judicial District, No. 1-19-0396.
There Heard on Appeal from the Circuit Court of Cook County, Illinois,
County Department, Chancery Division, No. 18 CH 02992.
The Honorable Peter Flynn, Judge Presiding.

**BRIEF OF *AMICI CURIAE* INDIANA, ILLINOIS, IOWA FOUNDATION FOR
FAIR CONTRACTING AND CHICAGO AREA LABORERS-EMPLOYERS
COOPERATION AND EDUCATION TRUST**

Marc R. Poulos (*mpoulos@iiiffc.org*)
Melissa L. Binetti (*mbinetti@iiiffc.org*)
Kara M. Principe (*kprincipe@iiiffc.org*)
Joseph P. Sweeney (*jsweeney@iiiffc.org*)
Indiana, Illinois, Iowa Foundation for
Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
Ph. 815/254-3332; Fx. 815/254-3525
ARDC Nos. 6282061; 6282533; 6302769; 6324730

Jon Rosenblatt (*rosenblatt@grpls.com*)
G&R Public Law and Strategies
20 South Clark Street, Suite 1620
Chicago, IL 60603
Ph. 312/508-5589; Fx. 312/201-0608
ARDC No. 6270519

E-FILED
7/13/2021 11:29 AM
Carolyn Taft Grosboll
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STATEMENT OF INTEREST

Amicus curiae Indiana, Illinois, Iowa Foundation for Fair Contracting (III FFC) is a not-for-profit labor-management cooperation committee organized pursuant to Section 302(c)(9) of the Labor-Management Relations Act. 29 § 186(c)(9) (2009). The III FFC is established to support, promote, and encourage fair contracting by providing a level playing field in the public construction arena for contractors, taxpayers, and workers. To this end, the III FFC monitors public works projects to ensure compliance with federal, state, and local laws governing public construction.

The III FFC also drafts legislation and educates public officials on matters pertaining to public construction, such as infrastructure investment and worker protection laws including prevailing wage compliance and safety issues. Significant to this matter, the III FFC participated in drafting House Joint Resolution Constitutional Amendment 36 (HJRCA 36), also known as the Safe Roads Amendment (hereinafter “Amendment”), and provided written testimony to the General Assembly in support thereof. It was also involved with Citizens to Protect Transportation Funding (hereinafter “the Committee”), a ballot initiative committee made up of businesses and labor unions established to educate voters about the importance of investing in infrastructure and supporting the Amendment to secure transportation funding for infrastructure improvements. The Committee spent over \$3.7 million in its voter education and communication campaign in support of the Amendment.

The III FFC is comprised, in part, of contractors performing work on public works projects in Illinois. These contractors employ individuals who are members of the International Union of Operating Engineers, Local 150, AFL-CIO. As such, the III FFC

represents contractor and worker interests as they pertain to performing work on infrastructure projects, including those financed by revenue protected by the Amendment. The III FFC has a fundamental interest in this matter based on its participation in drafting and support of the Amendment, as well as its representation of contractor and worker interests in the infrastructure funding protected by the Amendment.

Amicus curiae Chicago Area Laborers-Employers Cooperation and Education Trust (LECET) is a 501(c)(5) labor-management organization formed to improve the working relationship between the Laborers' International Union of North America, the Construction & General Laborers' District Council of Chicago and Vicinity, local union members, and signatory contractors who employ such union members throughout the following nine Illinois counties: Cook, Will, DuPage, Lake, Kane, Kendall, Boone, Grundy, and McHenry. LECET works on behalf of these parties by enhancing communication, identifying and providing policy recommendations to increase competitiveness and development, and expanding work opportunities, including on public infrastructure projects. A sizeable portion of such public infrastructure projects are, and will be, created, funded, and implemented as a result of the Amendment. As a result, LECET has a fundamental interest in this matter, which will have a substantial impact on the parties it represents.

This Brief of *Amici Curiae* includes an appendix of legislative materials, along with promotional materials disseminated to voters in support of the Amendment. With experience working on dozens of initiatives pertaining to public works construction, the Brief of *Amici Curiae* will assist the Court by providing a comprehensive review of the

drafters' intent, legislative debate, voters' understanding, and public policy in support of the Amendment.

SUMMARY OF ARGUMENT

The Transportation Taxes and Fees Lockbox Amendment, commonly known as the "Safe Roads Amendment" ("Amendment") was approved by an overwhelming majority of Illinois voters to protect revenues generated from transportation-related taxes from being expended for non-transportation-related purposes. By its language, the Amendment applies to *all* transportation-related revenue, including revenue generated pursuant to the Home Rule authority granted to local units of government by the Illinois Constitution. And while the Amendment is plain and unambiguous on its face, should the Court find it necessary to resort to extrinsic aids, it is clear from the condition of the times, drafters' intent, and the voters' understanding of the language that the Amendment applies to all transportation-related revenues.

Leading up to the Amendment's passage, Illinois' transportation infrastructure was crumbling, and state and local governments routinely diverted transportation-related revenues to pay for non-transportation-related items. A dire need to create a "lockbox" on transportation-related funds was obvious. So dire, in fact, that it took the form of an amendment to the Illinois Constitution.

Approved by the Illinois General Assembly with overwhelming bipartisan support, the Amendment secured its place on the ballot at the 2016 General Election. Prior to the election, a substantial amount of messaging from various coalitions was disseminated to voters across the state, public discourse over the Amendment was commonplace in

newspapers and other sources, and official government documents were mailed to every registered Illinois voter.

While the language of the Amendment is unambiguous, a careful reading of the transcript of legislative debate makes clear the intent of the Amendment was to prevent sweeps of transportation-related funds at all levels of government—from the state down to its localities. It was obvious to the electorate that the Amendment would restrict all units of government from diverting transportation-related revenue to non-transportation-related purposes. To interpret it differently would ignore the problem it sought to address, while also undoing the will of the drafters and voters, creating an absurd, inconvenient, and unjust result.

ARGUMENT

I. It Is Clear from Drafters’ Intent, Legislative Debates, Voters’ Understanding, and Public Policy that Transportation-Related Revenues Spent Pursuant to Home Rule Authority Are Covered by the Amendment.

On its face, the Amendment restricts the expenditure of *all* “moneys...derived from taxes, fees, excises, or license taxes relating” to specified transportation purposes or relating to “any other transportation infrastructure or transportation operation...” Ill. Const., art. IX, § 11(a). This much is clear. However, if the Court finds it appropriate to resort to extrinsic aids to interpret the Amendment’s applicability, it is nonetheless apparent that the Amendment was intended to cover *all* transportation-related revenue—including revenue generated pursuant to local governments’ Home Rule authority under Article VII, Section 6, of the Illinois Constitution.

A. An Examination of the History, Condition of the Times, and Problem the Amendment Sought to Address Makes Clear the Drafters Intended the Amendment to Apply to Both Non-Home Rule and Home Rule Units of Local Government.

Given the undeniable need for infrastructure improvements throughout Illinois and the pervasive diversion of transportation-related funds for non-transportation-related purposes, there can be no doubt that the Amendment was intended to apply to all transportation-related revenues as a means to address the massive shortfalls in transportation infrastructure investment.

When interpreting a constitutional amendment, the focus is squarely on its drafters' intent. *See Sayles v. Thompson*, 99 Ill.2d 122, 125 (1983). Statutes and constitutional provisions are construed pursuant to the same general principles, though courts deploy a less technical analysis when construing a constitutional provision. *Wolfson v. Avery*, 6 Ill.2d 78, 94 (1955) (internal citation omitted). "It is also proper to consider constitutional language in light of the history and condition of the times, the objective to be attained, and the evil to be remedied." *Gregg v. Rauner*, 2018 IL 122802, ¶ 23. As a part of this analysis, courts may "consider the reason for the law, the problems sought to be remedied, the purposes to be achieved, and the consequences of construing the statute one way or another." *Oswald v. Hamer*, 2018 IL 122203, ¶ 10 (citing *Murphy-Hylton v. Lieberman Mgmt. Servs., Inc.*, 2016 IL 120394, ¶ 25).

Leading up to the Amendment's passage, there had been approximately \$6.8 billion in transportation funding sweeps since 2002 to shore up the Illinois General Fund accounting for nearly 27 percent of state transportation funds (Frank Manzo IV, "Better Roads Ahead: Vote YES on the Illinois Transportation Funds Amendment," Illinois Economic Policy Institute (July 18, 2016), 2 <https://illinoisepi.org/s>

<ite/wp-content/themes/hollow/docs/infrastructure-investment/ilepi-better-roads-ahead-final.pdf> (last visited Jun. 23, 2021); *see also* *Vote YES on HJRCA 36*, Handout (Transportation for Illinois Coalition), 2016 (hereinafter “Appendix A1”). \$527 million of sweeps occurred in 2015 alone (*see Pave the Way to A Good Economy*, News Release (Transportation for Illinois Coalition), 2016 (hereinafter “Appendix A2”); *Better Roads Ahead*, Presentation (Citizens to Protect Transportation Funding), 2016 (hereinafter “Appendix A3”). At the time of the Amendment, state and local governments had over \$75 billion in existing road maintenance needs (*HJRCA 36 Fact Sheet*, Flyer (Chicagoland Operators Joint Labor-Management PAC), 2016 (hereinafter “Appendix A4”). Governmental raiding of transportation funds cost Illinois nearly 5,000 jobs over the decade preceding the Amendment’s passage and cost drivers \$3.7 billion per year, or \$448.00 annually in vehicle repairs and operating costs alone, as well as significant time and fuel costs due to road congestion (*see* Appendix A3; American Society of Civil Engineers, Illinois Section, *2014 Report Card Illinois Infrastructure*, at 2, https://www.infrastructurereportcard.org/wpcontent/uploads/2016/10/ISASCE_2014_Report_Card.pdf (last visited June 15, 2021) (hereinafter “Appendix A5”).

The sweeps did not stop at the state level. The Metropolitan Planning Council, an independent nonpartisan organization servicing Chicagoland communities and residents, commissioned a study in April 2016 finding Illinois had a transportation deficit of \$43 billion (Metropolitan Planning Council, *Illinois’ transportation crisis*, p. 1, https://www.metroplanning.org/uploads/cms/documents/mpc_transportation_crisis_fact_sheet_2016_04_01.pdf (last visited June 15, 2021) (hereinafter “Appendix A6”). Congestion was estimated to cost \$4 billion annually for the Chicago region alone (*see*

Appendix A5). In 2014, the Chicago region was found to underspend on transit operations and capital compared to both national and international cities with an estimated \$30.9 billion needed to bring the region’s transit into a state of good repair by 2024 (*id.*). An analysis by the Chicago Metropolitan Agency for Planning estimated an even higher figure, determining the local transit needs of CTA, Metra, and Pace to be \$36.4 billion in capital through 2024 (Mason Johnson, *Funding Infrastructure Isn’t ‘Sexy’: Illinois and Chicago Infrastructure is Underfunded, Neglected*, CBS Chicago (Mar. 2, 2015) (hereinafter “Appendix A7”)).

Transportation infrastructure throughout the state—from municipal- and county-owned roads to bridges and rail—were in desperate condition. Support for ensuring transportation-related revenues was spent on transportation purposes was immense. Correspondence and materials drafted by proponents of a “lockbox” urging legislative support for the Amendment highlighted this reality (*see* Appendix A4; Marc Poulos, Testimony on House Bill HJRCA 36 (hereinafter “Appendix A8”); *see also* Appendix A2). Such presentations and conversations with legislators led to widespread endorsement by members of the Illinois General Assembly, local governments, private businesses, chambers of commerce, labor unions, transportation associations, and regional planning organizations (*see* Appendix A3; Appendix A8; *see also* Bettina Chang, *What You Need to Know About the Transportation Lockbox Amendment*, Chicago Magazine (Nov. 3, 2016), <https://www.chicagomag.com/city-life/november-2016/election-transportation-lockbox-amendment/> (hereinafter “Appendix A9”); Sophia Tareen, *Illinois Voters to See Roads ‘Lockbox Amendment’ on November Ballot*, State Journal Register (Aug. 16, 2016),

<https://www.sj-r.com/news/20160816/illinois-voters-to-see-roads-lockbox-amendment-on-november-ballot> (hereinafter “Appendix A10”).

Resolutions were adopted by governmental entities in both Home Rule and non-Home Rule governmental communities in support of the Amendment (*see, e.g.*, Resolution of Support for Illinois Transportation Legislative Initiative, Pekin Area Chamber of Commerce Bd. (2016), <https://pekinchamber.blogspot.com/2016/09/chamber-board-passes-transportation.html?m=0> (hereinafter “Appendix A11”) (finding the Amendment is needed in Home Rule Pekin¹, in part, because “local government is responsible for over 88% of the public road mileage in Illinois and carrying 40% of the traffic in the state” and the importance of focusing “on the entire transportation system, including local and state roads...”); Illinois Transportation Legislative Initiative Resolution of Support to Benefit the Economy & Citizens of Illinois, DeKalb Co. Bd., R. #R2017-01, (2017), <https://dekalbcounty.org/wp-content/uploads/2020/01/packet-2017-jan.pdf> (hereinafter “Appendix A12”). III FFC Executive Director Marc Poulos provided written testimony in support of the Amendment to the applicable legislative Committees discussing Illinois’ crumbling state and local transportation systems, including in Home Rule municipalities (*see* Appendix A8).

Support for the Amendment in the Illinois legislature was evident after it was adopted by the Illinois House of Representatives and Illinois Senate by incredible margins—with 96 percent and 100 percent support, respectively. Ill. H. Roll Call, Vote No. 3 on HJRCA 36, 99th Gen. Assemb., Reg. Sess. (Apr. 22, 2016); Ill. S. Vote No. 10

¹ Illinois Municipal League, *Home-rule Municipalities*, iml.org, <https://iml.org/omerule-municipalities> (last visited June 17, 2021).

on HJRCA 36, 99th Gen. Assemb., Reg. Sess. (May 5, 2016). On November 8, 2016, the Illinois electorate overwhelmingly voted in favor of the Amendment, with 78.91 percent of voters favoring its inclusion into the Illinois Constitution, discussed *infra*.

Moreover, in June of 2019, the Illinois General Assembly approved, and the Governor signed, the Rebuild Illinois capital plan. P. A. 101-0030, eff. June 28, 2019. Rebuild Illinois was expected to boost Illinois' state transportation revenues by almost \$2 billion annually, significantly larger than any prior capital investments. Transportation Funding, Illinois Economic Policy Institute (2020), <https://illinoiseipi.org/rebuild-illinois/transportation-funding/> (last visited June 25, 2021). More importantly, the plan significantly increased local funding in both Home Rule and non-Home Rule units of local government. P.A. 101-0030, eff. June 28, 2019. It is unlikely such a large, sweeping capital investment—which included a significant hike in the motor fuel tax—would have been contemplated if legislators were not confident that local governments would have to spend their transportation-related revenues on transportation-related items, as evidenced by the Illinois legislature's unwillingness to raise gas taxes over the last three decades.

Had the electorate not overwhelmingly passed the Amendment three years prior, a capital plan with the scope of Rebuild Illinois would have been too politically unpopular for legislators to support, as the threat of those funds being raided was all too real.

B. The Legislative Debates Make Clear the Intent of the Amendment Was to Apply to Both Non-Home Rule and Home Rule Units of Local Government.

The legislative debate over the Amendment supports a finding that transportation-related revenues raised and spent pursuant to a local government's Home Rule power under Article VII, Section 6, of the Illinois Constitution are protected by the Amendment. The

Illinois House of Representatives' legislative transcript of the debate over the Amendment confirms that the legislature understood it to apply without restriction to all transportation-related funds.

Upon the third reading in the Illinois House, but prior to its adoption, there was brief debate to clarify the Amendment's applicability (H.R. Transcript, 99th Gen. Assemb. Reg. Sess. 123rd Leg. Day at 15-23 (Apr. 22, 2016) (hereinafter "Appendix A13")). Significantly, like the text of the Amendment itself, the House debate makes no effort to distinguish between Home Rule and non-Home Rule transportation-related taxes (*id.*). Indeed, such a distinction was never contemplated by the drafters, the sponsors, or any other representatives in the House (*id.*).

Even when afforded an additional chance to insert a Home Rule exception into the Amendment, no member of the House proposed such language. After the Amendment was passed unanimously out of the House Committee on Transportation and read in full for a third time, a floor amendment was filed with the Clerk by Representative Brandon Phelps, the Amendment's chief sponsor. This amendatory action restarted the constitutional amendment process, requiring the Amendment be read in full on three separate days for a second time before it could receive a floor vote. However, given this opportunity to revise the Amendment in a way that excepted Home Rule localities from coverage, the House chose not to do so. Indeed, required by the Illinois Constitutional Amendment Act and Article XIV, Section 2, of the Illinois Constitution, this would have been the proper procedural avenue for a sponsor or legislator to make substantive changes to the Amendment. Ill. Const., art. XIV, § 2; 5 ILCS 20/. With that in mind, the efforts by any members of the Illinois General Assembly to create ambiguity where none exists should

be viewed with skepticism by the Court. Their bid to read in additional exemptions not present in the language of the Amendment is nothing more than an attempt to obtain through debate that which they could not secure by vote.

Moreover, the comments made by Representative Mary Flowers, a co-sponsor of the Amendment, regarding the Amendment's purpose are instructive and reflective of the voters' ultimate understanding of the drafters' intent. As Representative Flowers understood, the Amendment is "about creating jobs []" (Appendix A13 at A19). She criticized the "disservice" that downstate Illinoisians have endured from their governments' prioritization of building prisons with transportation monies instead of those revenues going towards making "roads and bridges safe for everyone in the State of Illinois []" (*id.*). The dual goals of the Amendment are safe roads and job-creation. Those goals cannot be accomplished if the 217 Home Rule communities throughout Illinois which are responsible for a large percentage of the roads and bridges in the state, are free to spend transportation-related Home Rule revenues on non-transportation purposes.

As discussed, the language of the Amendment does not distinguish between Home Rule and non-Home Rule transportation-related revenues, nor does the House debate. This much is clear. And an attempt by a handful of Illinois Senators to create an exemption for the benefit of Home Rule localities, at the expense of the drafters' intent, does not change that fact.

C. Information Disseminated to Voters Supports an Understanding that the Amendment Would Apply to Both Non-Home Rule and Home Rule Units of Local Government.

The promotional materials, messaging, editorials, and public discourse around the Amendment’s meaning and scope made clear to voters that the Amendment would apply to state and local governments, Home Rule and non-Home Rule alike.

The true inquiry in construing a constitutional amendment concerns the understanding of its provision by the voters, “who, by their vote, have given life to the product of the convention.” *People ex rel. Cosentino v. Adams Cty.*, 82 Ill. 2d 565, 569 (1980). Courts must focus on both official information disseminated to voters, as well as unofficial publications by which voters have been informed as to the provision’s meaning when they cast their ballots in favor of the revised Constitution. *Client Follow-Up Co. v. Hynes*, 75 Ill.2d 208, 224-26 (1979).

Citizens to Protect Transportation Funding (“Committee”), a bipartisan ballot initiative committee, was formed to earn voter support for the Amendment. The Committee funded a state-wide campaign to educate voters on the effects of the proposed Amendment. The Committee spent a tremendous amount of resources on polling and voter education, totaling \$3,775,819.56 in expenditures.² Polling focused on issues of safety, such as recent bridge collapses, and general governmental waste (Citizens to Protect

² Ill. State Bd. of Elections, Citizens to Protect Transportation Funding, D-2 Quarterly Report, (July 1, 2016 to Sept. 30, 2016), <https://elections.il.gov/CampaignDisclosure/D2Quarterly.aspx?id=yk95RJ5T3c51PgUYXY603Q%3d%3d&T=637604928583265745> (reporting \$2,059,264.96 total expenditures); Ill. State Bd. of Elections, Citizens to Protect Transportation Funding, D-2 Final Report (Oct. 1, 2016 to Dec. 27, 2016), <https://elections.il.gov/CampaignDisclosure/D2Semiannual.aspx?id=xU6JiJGPIKcimOqYqKEqaA%3d%3d&T=637604883238840536> (reporting \$1,716,554.60 total expenditures).

Transportation Funding, “2016 Ballot Initiative Campaign” Prospectus (hereinafter “Appendix A14”). It found that 85 percent of all voters supported the idea of a transportation “lockbox” and that 75 percent of those polled were in favor of more funding for roads and bridges. *Id.* Support was broad and cut across party lines in every region of the state. *Id.*

In the months leading up to the 2016 General Election, information and promotional materials were distributed to voters throughout the state. Some of those materials broadly cited the growing need to invest in a safer transportation infrastructure, referencing all 4,200 locally and state-owned bridges and never distinguishing between local or state roads (*Vote YES on the Safe Roads Amendment*, Palm Card (Citizens to Protect Transportation Funding), 2016 (hereinafter “Appendix A15”); *Vote YES Safe Roads Amendment*, Flyer (Citizens to Protect Transportation Funding), 2016 (hereinafter “Appendix A16”); *Safer Roads with NO NEW TAXES*, Flyer (Citizens to Protect Transportation Funding), 2016 (hereinafter “Appendix A17”), *Illinois Safe Roads Constitutional Amendment Vote YES*, Flyer (Citizens to Protect Transportation Funding, IUOE Local 150), 2016 (hereinafter “Appendix A18”). These materials further evidence that the Amendment was designed to spur investment in all transportation infrastructure throughout Illinois, including that under the jurisdiction of Home Rule units of government, not just that over which the state had control (*id.*). Additionally, educational materials cited to the over 5,000 potential jobs that were lost due to governmental raiding of transportation funds, never distinguishing between local or state sweeps of such funds (*see* Appendix A2; Appendix A15; Appendix A17). All levels of government were guilty of such sweeps, and the Amendment sought to address the whole problem, not part of it.

Significantly, other educational materials delivered to voters explicitly referenced local transportation-related costs. For example, one mailer stated that the Amendment (Appendix A18 (emphasis in original)):

would require that funds raised through state or local motor fuel taxes, vehicle registrations, or title fees, and other user taxes, tolls and fees dedicated to public highways, roads, streets, bridges [,] mass transit systems, ports or airports **may only be expended on transportation purposes.**”

Another educational flyer disseminated to Illinois voters stated that by voting yes for the Amendment, “[a]ll transportation-related revenue will then be dedicated solely to public highways, roads, streets, bridges, and mass transit” (emphasis added) (Appendix A17).

In addition to materials sent via mail and posted on social media, Citizens to Protect Transportation Funding established and promoted an informational website called www.saferoadsamendment.com,³ which contained a Frequently Asked Questions page to assist in educating voters about the Amendment (Get the Facts, Safe Roads Constitutional Amendment Website FAQ (hereinafter “Appendix A19”). After reading through the FAQs, it would have been evident that the Amendment applied to both local units of government and the state (*id.*). For example:

2) How does the Safe Roads Constitutional Amendment protect transportation funding?

The Safe Roads Constitution Amendment requires that money taken in from transportation revenue sources be spent for transportation purposes. It prohibits the General Assembly or a unit of local government from using, diverting, or transferring moneys raised from these transportation revenue sources for non-transportation purposes.

* * *

³ After overwhelming passage of the Amendment, the website was taken down.

13) Is there a pot of money that is specifically called the “road fund” or “roads fund”? Where does that money come from? What are the sources?

At the State level, moneys raised from transportation sources ... are largely deposited into the Road Fund and State Construction Fund to pay for construction projects and debt service on bonds issues for previous construction projects. These monies are distributed under a formula to local governments. The Amendment protects these revenues and limits their expenditure to transportation purposes. Local governments also impose their own separate taxes or fees on motor fuel, boat mooring, ground transportation, vehicle leasing, tires, parking, and vehicle titles, among others. The revenue from these locally imposed taxes and fees would also qualify as “transportation funds” and be subject to the Amendment’s limitations.

Importantly, like the text of the Amendment itself, the FAQs did not distinguish between different types of local governments nor their status as Home Rule versus non-Home Rule.

The Amendment’s applicability to Home Rule localities was so well-understood that numerous editorials were written in newspapers across the state bemoaning the effects the Amendment would have on local operations and calling for a “no” vote on the measure (see, e.g., Doug Finke, *Benefits of Transportation Lockbox Amendment Hard to Assess*, State Journal Register, (Mar. 26, 2018), <https://www.sj-r.com/news/20180325/benefits-of-transportation-lockbox-amendment-hard-to-assess> (hereinafter “Appendix A20”) (“That’s an important distinction to make about the amendment. State government has been widely criticized for using gasoline taxes to prop up other parts of the state budget instead of funneling all of the revenue to actual road and bridge construction projects. The amendment, though, applies to taxes and fees levied at the local level, too.”); Andy Shaw, *et al.*, *Opinion, Letter: ‘Lockbox’ Amendment is Bad Policy*, State Journal Register, (Oct. 22, 2016), <https://www.sj-r.com/opinion/20161022/letter-lockbox-amendment-is-bad-policy> (hereinafter “Appendix A21”) (stating “The amendment will also disrupt many of Illinois’ distressed local governments that use their vehicle sticker and other fees to fund

general operations—salaries, programming, equipment and the like. The state should not tie the hands of municipalities to achieve a goal that is focused on state spending.”); Dan Petrella, *Transportation ‘Lockbox’ Amendment Would Affect Local Spending*, Herald-Review, (Oct. 25, 2016), https://herald-review.com/news/local/govt-and-politics/transportation-lockbox-amendment-would-affect-localspending/%20article_c5533e84-17ce-5ce6-b676-1305d3effb66.html (hereinafter “Appendix A22”) (stating “But critics of the proposed amendment, which will be put to voters Nov. 8, point out that the new rule wouldn’t just apply to the state. Local governments also would be restricted in how they could use revenue collected from local gas taxes, vehicle stickers, parking meters and other transportation-related sources.”); *see also* Editorial Board, *Vote No: Bulldoze Illinois’ Diabolical ‘Safe Roads Amendment,’ Chicago Tribune*, (Sept. 6, 2016), Appendix A23).

In fact, according to a Crain’s Chicago Business article published on October 22, 2016, then-Chicago Budget Director, Alex Holt, warned voters that the City of Chicago could lose its discretion over \$250 million in local transportation-related taxes and another \$49 million in Home Rule motor fuel taxes due to the Amendment, a point Marc Poulos of the III FFC confirmed in the same article. Greg Hinz, *Why you should vote ‘no’ on the Safe Roads Amendment*, Crain’s Chicago Business (Oct. 22, 2016), <https://www.chicagobusiness.com/article/20161022/ISSUE05/310229994/why-the-safe-roads-amendment-is-bad-policy-in-illinois> (hereinafter “Appendix 24”). This point was echoed in the Chicago Reader (John Greenfield, *Passing the Safe Roads Amendment Could Have Unintended Consequences*, Chicago Reader, (Nov. 2, 2016) (hereinafter “Appendix A25”)):

Crain's Chicago Business columnist Greg Hinz, a sustainable transportation booster, also cautioned against voting for the amendment in a recent op-ed. He quoted Chicago budget director Alex Holt as having concerns that the city might lose control over some \$250.00 million annually in local taxes, plus another \$49 million a year from state gas taxes. This money is used for many civic needs, such as libraries. It's also unclear whether the lockbox money could be used for snowplowing, streetlights, and other items not explicitly mentioned in the initiative.

In addition to unofficial materials, official publications were disseminated to voters.

Pursuant to the Constitution and Illinois Constitutional Amendment Act, the Secretary of State must publish explanations and notice of a constitutional amendment to the electors one month prior to the next election following the passage of the proposed amendment by the General Assembly. Ill. Const., art. XIV, § 2(b); 5 ILCS 20/2. Notice requirements include publication in several newspapers in the state, at least one and up to six in each county depending on size and number of newspapers published in that county. 5 ILCS 20/2. The notice must include the language of the amendment, *id.*, and in this case, also included an explanation of the Amendment (Illinois Secretary of State, Safe Roads Amendment Official Notice (hereinafter "Appendix A26")).

The explanation stated:

The proposed amendment adds a new Section to the Revenue Article of the Illinois Constitution that provides revenue generated from transportation related taxes and fees (referred to as "transportation funds") shall be used exclusively for transportation related purposes. Transportation related taxes and fees include motor fuel taxes, vehicle registration fees, and other taxes and user fees dedicated to public highways, roads, streets, bridges, mass transit (buses and rail), ports, or airports.

Under the proposed amendment, transportation funds may be used by the State or local governments only for the following purposes: (1) costs related to administering transportation and vehicle laws, including public safety purposes and the payment of obligations such as bonds; (2) the State or local share necessary to secure federal funds or for local government transportation purposes as authorized by law; (3) the construction, reconstruction, improvement, repair, maintenance, and operation of

highways, mass transit, and railroad crossings; (4) expenses related to workers' compensation claims for death or injury of transportation agency employees; and (5) to purchase land for building highways or buildings for to be used for highway purposes.

This new Section is a limitation on the power of the General Assembly or a unit of local government to use, divert, or transfer transportation funds for a purpose other than transportation. It does not, and is not intended to, impact or change the way in which the State and local governments use sales taxes, including the sales and excise tax on motor fuel, or alter home-rule powers granted under this Constitution...

In addition to the notice, the Secretary of State is tasked with providing a Ballot Summary pamphlet to every mailing address in the state that includes the existing form of the constitutional provision that will be amended, the proposed amendment, an explanation,⁴ arguments for and arguments against, and the form in which the amendment will appear on the separate ballot. 5 ILCS 20/2. The General Assembly is tasked with drafting a brief explanation, arguments in favor, and the form in which the amendment will appear on the separate ballot. *Id.* The minority of the General Assembly, or if there is no minority, anyone designated by the General Assembly shall prepare an argument against. *Id.*

Arguments in favor explained that (Illinois Secretary of State, Safe Roads Amendment Ballot Summary Pamphlet (hereinafter "Appendix A27")):

Historically, the State and units of local government have used portions of revenue from transportation funds for other purposes. Approval of this amendment will ensure that transportation-funds are used only for transportation purposes. This limitation provides a dedicated source of funding for projects that will increase the quality of Illinois' roads, bridges, bridge and road safety inspections and mass transit. Improving the quality of our roads and highways will help reduce accidents and damage to vehicles caused by road conditions or hazards.

⁴ The explanation of the Amendment is identical in the notice and the Ballot Summary pamphlet as written by the General Assembly (Appendices A26, A27).

Arguments against explained that (*id.*):

Approval of the proposed amendment unnecessarily limits the power of the State and local governments to appropriate public revenues for the general welfare of all Illinoisians in order to protect funding for one particular purpose – transportation. Our elected officials should be asked to prioritize the use of public funds, but this amendment would restrict their ability to spend funds as the elected officials and taxpayers deem fit. As a result, elected officials may be asked to reduce funding or other priorities, such as education or social service programs.

Taken together, the explanation of and arguments for and against the Amendment disseminated to the voters in the notice and Ballot Summary pamphlet unequivocally communicate that the Amendment would apply to local governments. The notice was wide-reaching as published in several newspapers in the state, and the Ballot Summary pamphlet was mailed to every Illinois address. There can be no question it was the understanding of the voters, who brought this Amendment to life by an overwhelming majority, that it would limit *all* local governments' ability to expend transportation-related revenue for non-transportation-related purposes.

The sole mention of Home Rule powers in the notice and Ballot Summary pamphlet is contained in the explanation section, stating that while the amendment would be a “limitation on the power of...a unit of local government to use, divert, or transfer transportation funds for a purpose other than transportation[;]” it does not impact local government's use of sales tax or alter Home Rule powers (Appendix A26, A27). The sentence merely makes it explicit that the Amendment is a limitation on the power of units of local government—both Home Rule and non-Home Rule—on *how* to expend those transportation-related taxes which it may nonetheless levy.

At the 2016 General Election, Illinois voters overwhelmingly passed the Amendment with 78.91 percent casting “yes” votes. Official Canvass, General Election

November 8, 2016, Illinois State Board of Elections, Constitutional Amendment Proposal, at iii-vi. Undoubtedly, voters receiving the promotional materials and official publications would have understood the Amendment to apply to *all* local units of government. Prior to receiving official information, voters already had received extensive promotional information and developed an understanding of what the Amendment was designed to achieve. Affirming the lower court's opinion would undo the will and intent of the voters in contradiction of canons of constitutional amendment construction.

II. Public Policy and Doctrines of Equity and Fairness Require the Court to Reverse the Appellate Court Opinion.

Affirming the Appellate Court Opinion in this case would create an absurd and unjust result with 216 Home Rule units of local government⁵ and the largest county in Illinois not having to comply with an Amendment that was understood by the drafters and voters as a limitation on *all* units of local government.

In determining legislative intent, a court must presume that the legislature did not intend to create an absurd, inconvenient, or unjust result. *People ex rel. Alvarez v. Gaughan*, 2016 IL 120110, ¶ 19. It is illogical to assume that the average voter would ponder the minutiae of language in the Amendment and perform a legal analysis to determine whether it applies to revenue spent by units of local government pursuant to their Home Rule authority. To affirm the Appellate Court Opinion would undo the understanding and will of the General Assembly, local governments, and, most importantly, the Illinois electorate.

⁵ Illinois Municipal League, *Home-rule Municipalities*, iml.org, <https://iml.org/omerule-municipalities> (last visited June 17, 2021).

Moreover, on the heels of the Amendment, the Rebuild Illinois capital plan, discussed *supra*, was passed with the trust and faith of the voters expecting funds therein to be protected by the Amendment. Such a landmark capital plan would not have been feasible without the protections and assurances provided by the Amendment and the understanding that it would protect funds to be expended pursuant to local governments' Home Rule authority.

Additionally, any expectation that the proponents of the Amendment could or should—by statute, ordinance, or otherwise—convince lawmakers to address the lower court's perceived shortcomings of the Amendment is unmoored from reality. Indeed, Home Rule units, like Cook County, have no incentive to tie their own hands when it comes to raising and spending revenue under their Article VII authority—which is precisely why the Amendment was necessary in the first place. The lower court's ruling undid with a few strokes of the pen something that took years and millions of dollars⁶ to accomplish. To force the proponents to start over from scratch creates an absurd, inconvenient, and unjust result, undermining the will of the voters and further eroding their trust in government at a time when governmental trust is already precariously low.⁷

⁶ Ill. State Bd. of Elections, Citizens to Protect Transportation Funding, D-2 Quarterly Report, (July 1, 2016 to Sept. 30, 2016), <https://elections.il.gov/CampaignDisclosure/D2Quarterly.aspx?id=yk95RJ5T3c5IPgUYXY603Q%3d%3d&T=637604928583265745> (reporting \$2,059,264.96 total expenditures); Ill. State Bd. of Elections, Citizens to Protect Transportation Funding, D-2 Final Report (Oct. 1, 2016 to Dec. 27, 2016), <https://elections.il.gov/CampaignDisclosure/D2Semiannual.aspx?id=xU6JiJGPIKcimOqYqKEqaA%3d%3d&T=637604883238840536> (reporting \$1,716,554.60 total expenditures).

⁷ According to Pew Research, only 24 percent of Americans say they trust the federal government to do what is right “just about always” (2 percent) or “most of the time” (22 percent). See *Trust in Government: 1958-2021*, PEW RESEARCH CTR. (May 17, 2021), <https://www.pewresearch.org/politics/2021/05/17/public-trust-in-government-1958-2021/>.

CONCLUSION

It is clear the Safe Roads Amendment applies to *all* transportation-related revenues, including those spent pursuant to a unit of local government's Home Rule authority. While this fact is clear and unambiguous from the face of the Amendment, it is also clear when taking extrinsic evidence into account. The drafters' intent, legislative debates, voters' understanding, and public policy confirm the meaning of the Amendment. Affirming the Appellate Court's decision would not be consistent with the meaning of the Amendment or consistent with constitutional construction.

Dated: July 1, 2021

Respectfully submitted,

By: /s/ Marc R. Poulos
One of the Attorneys for *Amici*

Attorney for III FFC:
 Marc R. Poulos (*mpoulos@iiiffc.org*)
 Melissa L. Binetti (*mbinetti@iiiffc.org*)
 Kara M. Principe (*kprincipe@iiiffc.org*)
 Joseph P. Sweeney (*jsweeney@iiiffc.org*)
 Indiana, Illinois, Iowa Foundation for
 Fair Contracting
 6170 Joliet Road, Suite 200
 Countryside, IL 60525
 Ph. 815/254-3332; Fx. 815/254-3525
 ARDC Nos. 6282061; 6282533; 6302769; 6324730

Attorney for LECET:
 Jon Rosenblatt (*rosenblatt@grpls.com*)
 G&R Public Law and Strategies
 20 South Clark Street, Suite 1620
 Chicago, IL 60603
 Ph. 312/508-5589; Fx. 312/201-0608
 ARDC No. 6270519

CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 22 pages.

By: /s/ Marc R. Poulos
One of the Attorneys for *Amici*

Attorney for III FFC:
 Marc R. Poulos (*mpoulos@iiiffc.org*)
 Melissa L. Binetti (*mbinetti@iiiffc.org*)
 Kara M. Principe (*kprincipe@iiiffc.org*)
 Joseph P. Sweeney (*jsweeney@iiiffc.org*)
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 6170 Joliet Road, Suite 200
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 Ph. 815/254-3332; Fx. 815/254-3525
 ARDC Nos. 6282061; 6282533; 6302769; 6324730

Attorney for LECET:
 Jon Rosenblatt (*rosenblatt@grpls.com*)
 G&R Public Law and Strategies
 20 South Clark Street, Suite 1620
 Chicago, IL 60603
 Ph. 312/508-5589; Fx. 312/201-0608
 ARDC No. 6270519

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that on July 1, 2021, he electronically filed the foregoing *Brief of Amici Curiae Indiana, Illinois, Iowa Foundation for Fair Contracting and Chicago Area Laborers-Employers Cooperation and Education Trust* with the Clerk of Court using the i2file system, which sent notification to the following:

Gino L. DiVito (*gdivito@tdrlawfirm.com*)
 John M. Fitzgerald (*jfitzgerald@tdrlawfirm.com*)
 Amanda N. Catalano (*acatalano@tdrlawfirm.com*)
 Tabet, DiVito & Rothstein LLC
 209 South LaSalle Street, 7th Floor
 Chicago, IL 60604

James Beligratis (*james.beligratis@cookcountyil.gov*)
 Cook County State's Attorney's Office
 500 Richard J. Daley Center
 Chicago, IL 60602

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements in this instrument are true and correct.

By: /s/ Marc R. Poulos
 One of the Attorneys for *Amici*

Attorney for III FFC:
 Marc R. Poulos (*mpoulos@iiiffc.org*)
 Melissa L. Binetti (*mbinetti@iiiffc.org*)
 Kara M. Principe (*kprincipe@iiiffc.org*)
 Joseph P. Sweeney (*jsweeney@iiiffc.org*)
 Indiana, Illinois, Iowa Foundation for
 Fair Contracting
 6170 Joliet Road, Suite 200
 Countryside, IL 60525
 Ph. 815/254-3332; Fx. 815/254-3525
 ARDC Nos. 6282061; 6282533; 6302769; 6324730

Attorney for LECET:
 Jon Rosenblatt (*rosenblatt@grpls.com*)
 G&R Public Law and Strategies
 20 South Clark Street, Suite 1620
 Chicago, IL 60603
 Ph. 312/508-5589; Fx. 312/201-0608
 ARDC No. 6270519

No. 127126

**IN THE
SUPREME COURT OF ILLINOIS**

ILLINOIS ROAD AND TRANSPORTATION BUILDERS ASSOCIATION,
FEDERATION OF WOMEN CONTRACTORS, ILLINOIS ASSOCIATION OF
AGGREGATE PRODUCERS, ASSOCIATED GENERAL CONTRACTORS OF
ILLINOIS, ILLINOIS ASPHALT PAVEMENT ASSOCIATION, ILLINOIS READY
MIXED CONCRETE ASSOCIATION, GREAT LAKES CONSTRUCTION
ASSOCIATION, AMERICAN COUNCIL OF ENGINEERING COMPANIES
(ILLINOIS CHAPTER), CHICAGOLAND ASSOCIATED GENERAL
CONTRACTORS, UNDERGROUND CONTRACTORS ASSOCIATION OF
ILLINOIS, AND ILLINOIS CONCRETE PIPE ASSOCIATION,

Plaintiffs-Petitioners,

v.

COUNTY OF COOK, a body politic and corporate,

Defendant-Respondent.

On Petition for Leave to Appeal from the Illinois Appellate Court,
First Judicial District, No. 1-19-0396.
There Heard on Appeal from the Circuit Court of Cook County, Illinois,
County Department, Chancery Division, No. 18 CH 02992.
The Honorable Peter Flynn, Judge Presiding.

**BRIEF OF *AMICI CURIAE* INDIANA, ILLINOIS, IOWA FOUNDATION FOR
FAIR CONTRACTING AND CHICAGO AREA LABORERS-EMPLOYERS
COOPERATION AND EDUCATION TRUST**

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Vote YES on HJRCA 36, Proposed Transportation Lockbox Constitutional Amendment

Summary:

Proposed constitutional amendment that would end Road Fund diversions by preventing any money from being removed from the Road Fund for any purpose other than transportation investment and the day-to-day operations that support it.

We support this amendment for the following reasons:

- Most of Illinois' road funding comes from user fees, if you don't drive you don't pay
- Almost \$6.5B of road funding has been swept to shore up the general fund since 2003
- This breaks public trust in the user fee system while setting transportation investment back years
- In the next twenty years Illinois has over \$75 billion in existing road maintenance needs
- Illinois needs to be responsible with taxpayer money and provide the return taxpayers have been promised
- Ensures that IDOT can support day-to-day operations
- Ensures that no transportation revenues shall be diverted to purposes other than for transportation systems and the operations that support them
- Requires any future modes of transportation proposed for state funding shall need to have a dedicated source of funding

Supported by:

- | | | |
|---|--|---|
| • ACEC - IL | • IL AFL-CIO | • AGC – IL |
| • American Concrete Paving Association - II Chapter | • Chicago District Council Laborers | • Chicagoland Operators Joint Labor Management PAC |
| • Construction Industry Service Corporation | • Federation of Women Contractors | • Fox Valley AGC |
| • Great Lakes Cement Promotional Council | • Greater Peoria Contractors and Suppliers Association | • Illinois Asphalt Pavement Association |
| • Illinois Association of Aggregate Producers | • Illinois Chamber of Commerce | • Illinois Chapter, Inc. American Concrete Pavement Association |
| • Illinois Construction Industry Committee | • Illinois Fertilizer & Chemical Association | • Illinois Mechanical & Specialty Contractors Association (IMSCA) |
| • Illinois Petroleum Council | • Illinois Professional Land Surveyors Association | • Illinois Ready Mixed Concrete Association |
| • Illinois Road and Transportation Builders Association | • Illinois Society of Professional Engineers | • Illinois Trucking Association |
| • Indiana, Illinois, Iowa Foundation for Fair Contracting | • IUOE Local 150 | • IUOE State Council |
| • Laborers LMCC | • Lake County Contractors Association (LCCA) | • LIUNA Midwest region |
| • Metropolitan Planning Council | • PCA Great Lakes Region | • PCA Midwest (Plumbing Contractors Association) |
| • Portland Cement Association | • Regional Transportation Authority (RTA) | • Transportation for Illinois Coalition (TFIC) |
| • Underground Contractors Association | | |



FOR IMMEDIATE RELEASE
NEWS

Coalition to Make Substantial Investment in Push for Safe Roads Amendment
Business, Labor Unite Behind Ballot Question to Invest in Better Illinois Infrastructure

Date: Aug. 16, 2016

Contact: Ryan Keith, 217-737-7369
rkprsolutions@gmail.com

SPRINGFIELD – A coalition of business, labor and construction groups is launching a statewide public education campaign for a constitutional amendment on the Nov. 8 ballot that will protect Illinois’ investment in its critical transportation infrastructure.

Citizens to Protect Transportation Funding today announced it already has raised more than \$1.2 million for an aggressive advocacy campaign to educate Illinois voters about the need to support the Safe Roads Amendment. The group has a new website for voters to learn about the campaign and join the effort:
<http://www.saferoadsamendment.com/>.

Lawmakers in the Illinois House and Senate in May approved [House Joint Resolution Constitutional Amendment 36](#), which calls for Illinois to put transportation funding in a lockbox. A study by the advocacy group Transportation for Illinois Coalition, whose members are driving this ballot initiative campaign, found more than \$6.8 billion in funds earmarked for transportation were swept out of the state’s Road Fund and used for non-transportation spending over more than a dozen years – including more than \$500 million in transportation dollars just last year.

The constitutional amendment will appear as the first question Illinois voters see when they go to the polls this fall and is the only constitutional amendment approved by the Legislature this spring. It needs 60 percent of voters approving the question, or more than a majority of those voting in the election, to become part of the Illinois Constitution and prevent lawmakers from shifting these funds again.

Coalition leaders say the campaign – featuring the website and online advocacy, grassroots organizing and television and radio advertising – will revolve around a clear message: Protecting Illinois’ transportation funding with the Amendment means safer roads, more jobs and is the only way to hold Springfield accountable. Illinois’ infrastructure is aging and decaying, while the money to fix it is being spent elsewhere. Supporting this Amendment will ensure money collected for transportation is spent on transportation.

“Investing in transportation infrastructure has both immediate and long-term positive effects on the Illinois economy,” added Marc Poulos, Executive Director of the Indiana-Illinois-Iowa Foundation for Fair Contracting. “Construction projects create and sustain good-paying jobs for Illinois workers. Raiding transportation funding has cost Illinois nearly 5,000 jobs over the last decade, and it’s costing drivers \$441 every year in vehicle repairs, as well as wasted time and fuel costs because of congestion on our roads.”

“This is an unusual campaign because polls consistently show overwhelming public support for the idea that tax dollars collected for roads should be used for roads. If the ballot language was that simple, there would be no need for a major educational campaign,” said Michael Sturino, President and CEO of the Illinois Road and Transportation Builders Association. “Unfortunately, what will appear on the ballot is confusing and complex legalize. We want to cut through the noise so that voters will be prepared to vote ‘yes’ on the amendment without having to parse the technical language while in the voting booth.”

“There is strong public support for making sure the money government collects for our roads and bridges goes to our roads and bridges,” said Todd Maisch, co-chair of TFIC and president and CEO of the Illinois Chamber of Commerce. “We are running the campaign these three months leading into the Nov. 8 election to clearly explain how a lack of transportation funding has put our safety and economy in jeopardy, and why an easy solution is to support this amendment to put these funds in a lockbox.”

“The key to improving our economy is investing in our transportation system,” said Michael Kleinik, co-chair of TFIC and executive director of the Chicago Laborers District Council-LMCC. “By voting yes on the amendment, we can end the dangerous practice that has put our roads and bridges at risk and move our state forward. We look forward to reaching voters in many ways to build support in the coming weeks.”

###



BETTER ROADS AHEAD

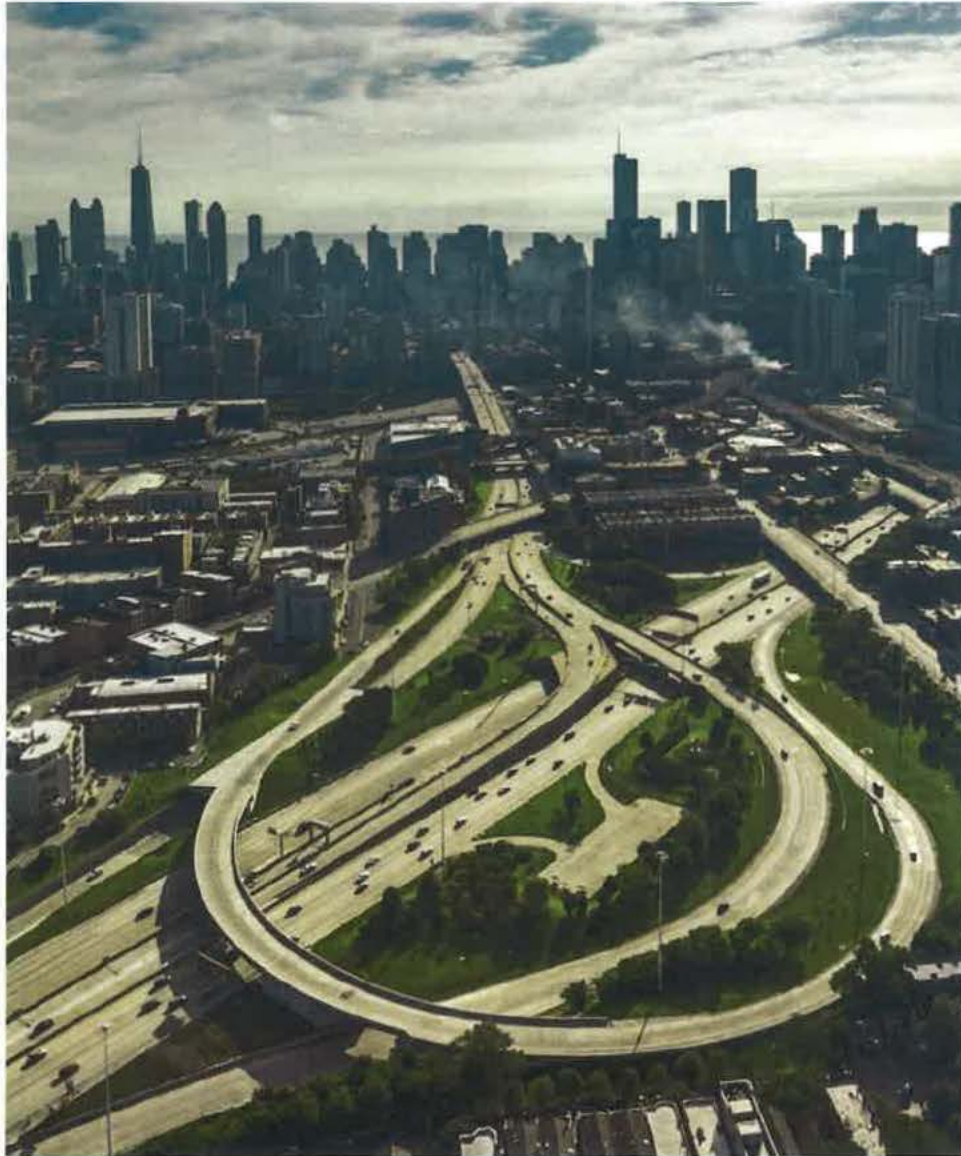
THE ILLINOIS TRANSPORTATION FUNDS (LOCKBOX) CONSTITUTIONAL AMENDMENT

IRTBA Planning & Design Conference
Presentation by
Eric Adelstein – Owner, A/L Media
Marc Poulos – Executive Director, Ill FFC
& Michael Sturino – President & CEO, IRTBA



**CITIZENS
TO PROTECT
TRANSPORTATION
FUNDING**

**2016 BALLOT INITIATIVE
CAMPAIGN**



ILLINOIS TRANSPORTATION FUNDING

OVER THE LAST 10 YEARS ALONE, \$6 billion has been swept from Illinois' Road Fund.

Illinois' infrastructure is crumbling. Over 4,200 Illinois bridges and half of Illinois roads are in poor condition. That puts Illinois families in danger of bridge collapses like we saw in Minnesota and Indiana.

Aging infrastructure also puts a strain on the economy and makes it difficult for the state to retain and attract businesses.

The longer we go without repairing our roads, the more it will cost to fix them in the future.

WHAT IS THE CONSTITUTIONAL AMENDMENT?

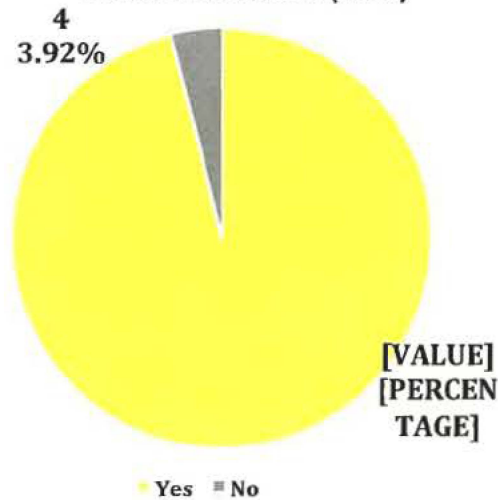
The Illinois Transportation Funds (Lockbox) Amendment would constitutionally protect all revenue contributed by drivers through motor fuel taxes, licenses, and registration fees and ensure that the money is used solely for transportation purposes.

BI-PARTISAN SUPPORT

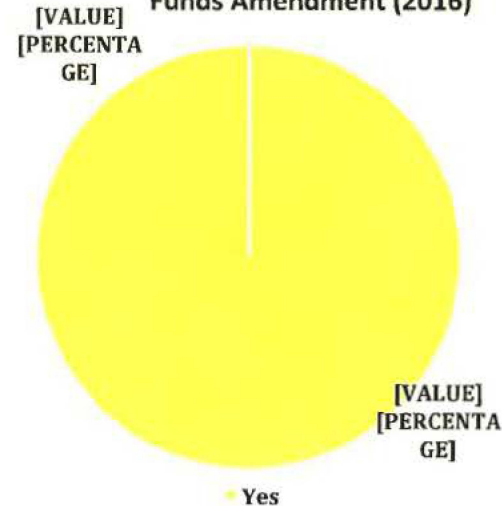
Passed the General Assembly with nearly unanimous support.

Endorsed by local governments, private businesses, the Chamber of Commerce, labor unions, transportation associations, and regional planning organizations.

Illinois House Votes on Transportation Funds Amendment (2016)



Illinois Senate Votes on Transportation Funds Amendment (2016)



Source(s): [Ballotpedia, 2016a](#).

WHY PROTECT USER FEES?

Taxpayer Fairness

Those who drive on the roads should pay for the roads.

Cost = Benefits

You get what you pay for.

Government Accountability

Reasonable expectation that money paid at the gas pump will fund infrastructure.

Common Sense

Illinois needs high-quality roads, bridges, and public transit systems.

WISCONSIN TRANSPORTATION FUND AMENDMENT

Approved by voters in 2014.

Election Result	Number of Votes	Percentage
Yes	1,733,101	79.94%
No	434,806	20.06%

\$1.4 billion had been diverted over previous decade.

The Green Bay Press-Gazette: *“If those in the State Capitol can’t stop themselves from taking money from designated funds and using it for unrelated expenses, then maybe it’s time for a constitutional amendment to do that.”*

Source(s): [Ballotpedia, 2016a](#).

ILLINOIS POLITICIANS CAN'T BE TRUSTED

IDOT was nearly forced to shut down \$2 BILLION in planned and ongoing public infrastructure projects.

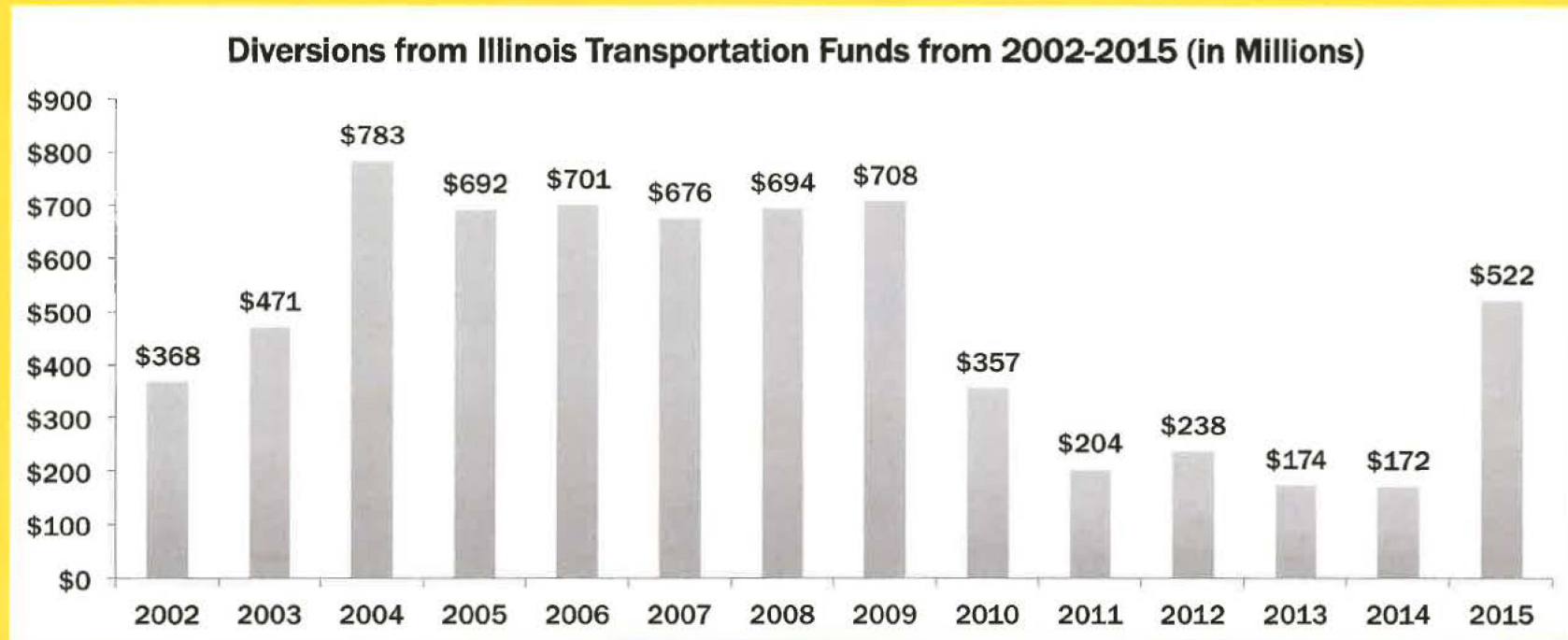
Since 2002, nearly \$6.8 BILLION has been diverted away from Illinois' transportation funds to pay for other items.

The Costs of Inaction

- ✓ \$43 BILLION transportation deficit in Illinois
- ✓ BILLIONS OF DOLLARS in congestion costs
- ✓ \$441 ANNUALLY in extra vehicle repairs and operating costs per motorist



ILLINOIS POLITICIANS CAN'T BE TRUSTED



Source(s): Analysis of [TFC, 2016](#) information.

THE ECONOMIC COST OF NOT HAVING A LOCKBOX

Impact Type	Employment	Economic Output
Direct Effect: Construction and Transportation Workers	-49,736	-\$6.16 billion
Direct Effect: State and Local Government Employees	56,489	+\$6.17 billion
Indirect Effect	-17,672	-\$4.11 billion
Induced Effect	6,172	+\$0.93 billion
Total Effect	-4,747	-\$3.17 billion

Diversions since 2002 have reduced economic output by **\$3.2 BILLION** and cost nearly 5,000 total jobs in Illinois.

Illinois Economic Policy Institute— www.illinoiseipi.org

Source(s): Analysis using [IMPLAN, 2015](#).

THE BENEFITS OF THE LOCKBOX AMENDMENT

Illinois politicians have wasted tax dollars on bureaucracy and mismanagement for too long.

The amendment would increase funding for roads and bridges.

The amendment would increase funding for safety inspections of roads, bridges, and commuter rail lines.



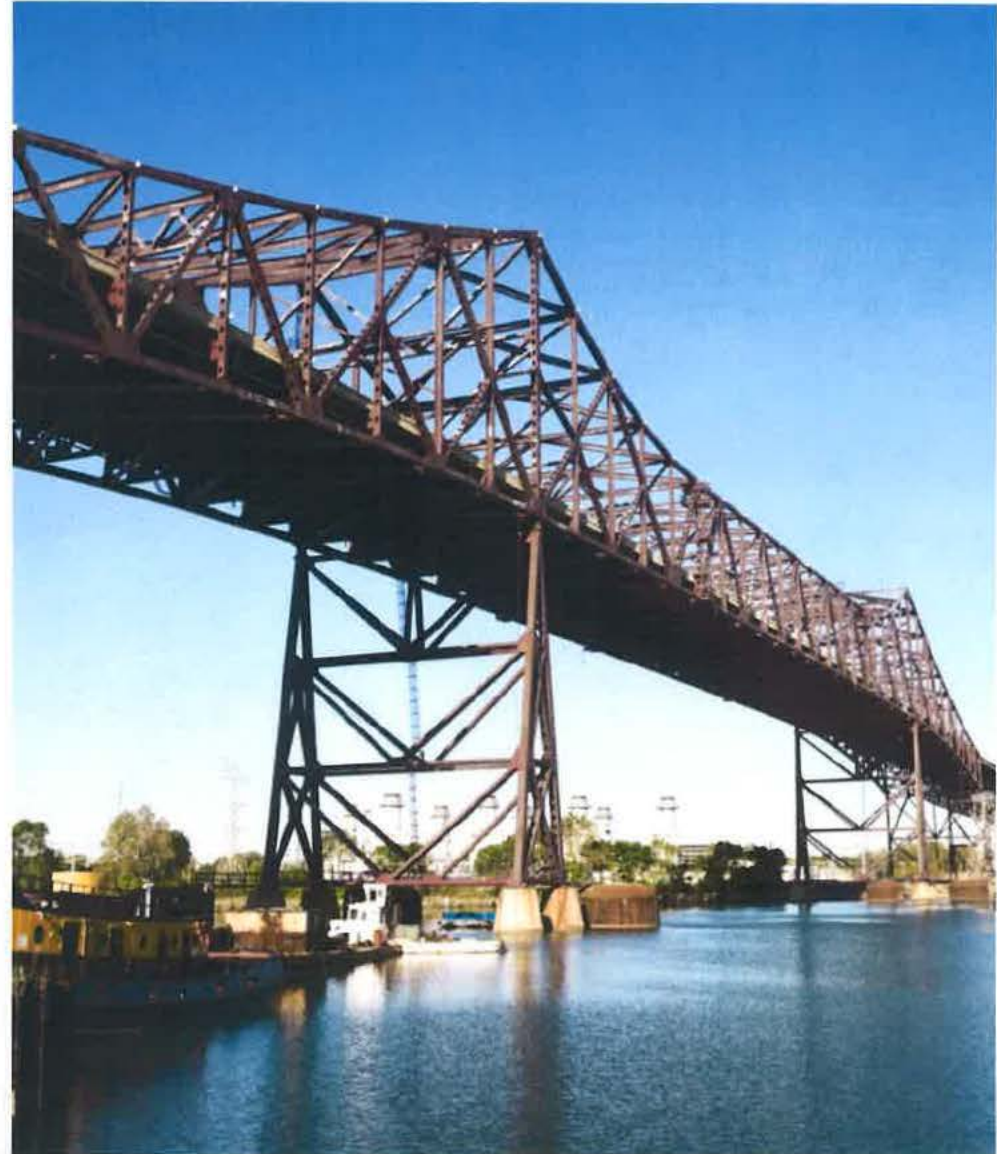
THIS IS OUR OPPORTUNITY

THIS FALL, we have a chance to protect transportation funding once and for all.

If the Amendment passes, transportation funding will be secured, and we will have the chance to make long-overdue investments in our infrastructure.

If the Amendment fails, it will likely be decades – if ever – before such a measure will even be considered to be placed on the ballot again.

**IN OTHER WORDS,
WE'VE GOT ONE SHOT AT THIS,
AND WE CAN'T WASTE IT**





Our polling shows a clear lane on messaging. We need to help voters make the connection between the transportation “lockbox” idea that they support and the initiative that will be on the ballot.

There are two messages that resonate strongly with voters:

1. **SAFETY** — When transportation funding is raided, we risk bridge collapses like those that occurred in Minnesota and Indiana.
2. **GOVERNMENT WASTE** — For too long, Springfield has mismanaged the budget, and now we are paying the price.

WHERE WE STAND

We head into this campaign with very strong support, but we have a lot of work to do to solidify that support and overcome voter drop-off.

Our polling shows that 85% of voters support the idea of a transportation lockbox. 75% want more funding for roads and bridges.

Support is both broad and bipartisan.

64% of Democrats, 61% of Republicans, and 66% of Independents stand with us. We also win every region of the state and lead across key demographics.

85 %

of all voters want more
funding for roads and bridges.

75 %

of all voters want more
funding for roads and bridges.

64 %

Democrat support.

61 %

Republican support.

66 %

Independent support.

THE CHALLENGE

The language which will ultimately appear on the ballot is peppered with legalese and is not as simple or as straightforward as we'd like, which opens the door for voter fall-off.

When voters hear language similar to what will be on the ballot, our support drops from 85% to 62%.

THIS MEANS WE HAVE TO LAUNCH A STRONG COMMUNICATIONS CAMPAIGN TO EDUCATE OUR SUPPORTERS AND ENSURE THEY STICK WITH US IN THE VOTING BOOTH.

LANGUAGE MATTERS

When ballot language is filled with legalese, support drops

85 %



62 %

THE PROCESS

Passing a Constitutional Amendment is a tall order.
The Amendment can pass in two ways:

SCENARIO 1

Approval from a majority of those voting in the election.

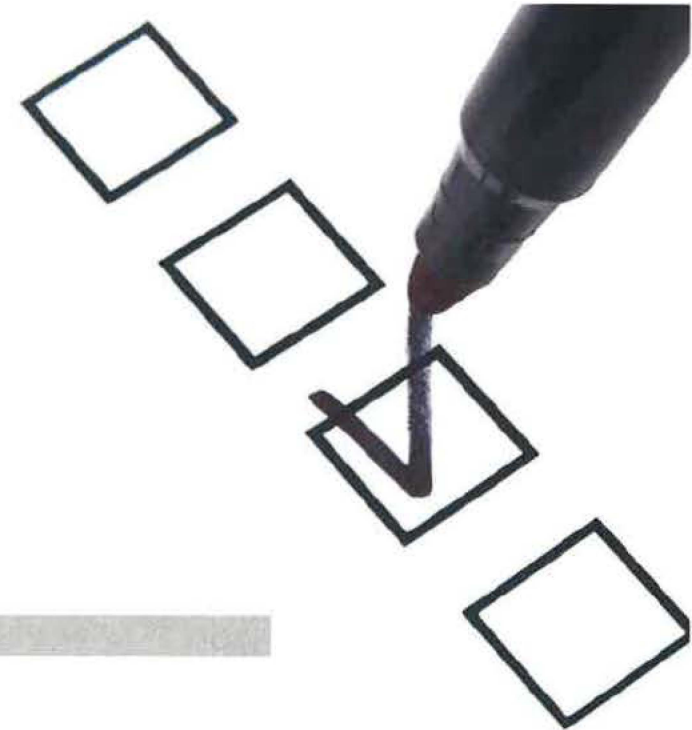
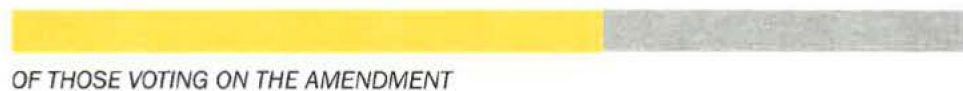
50% + 1 NEEDED

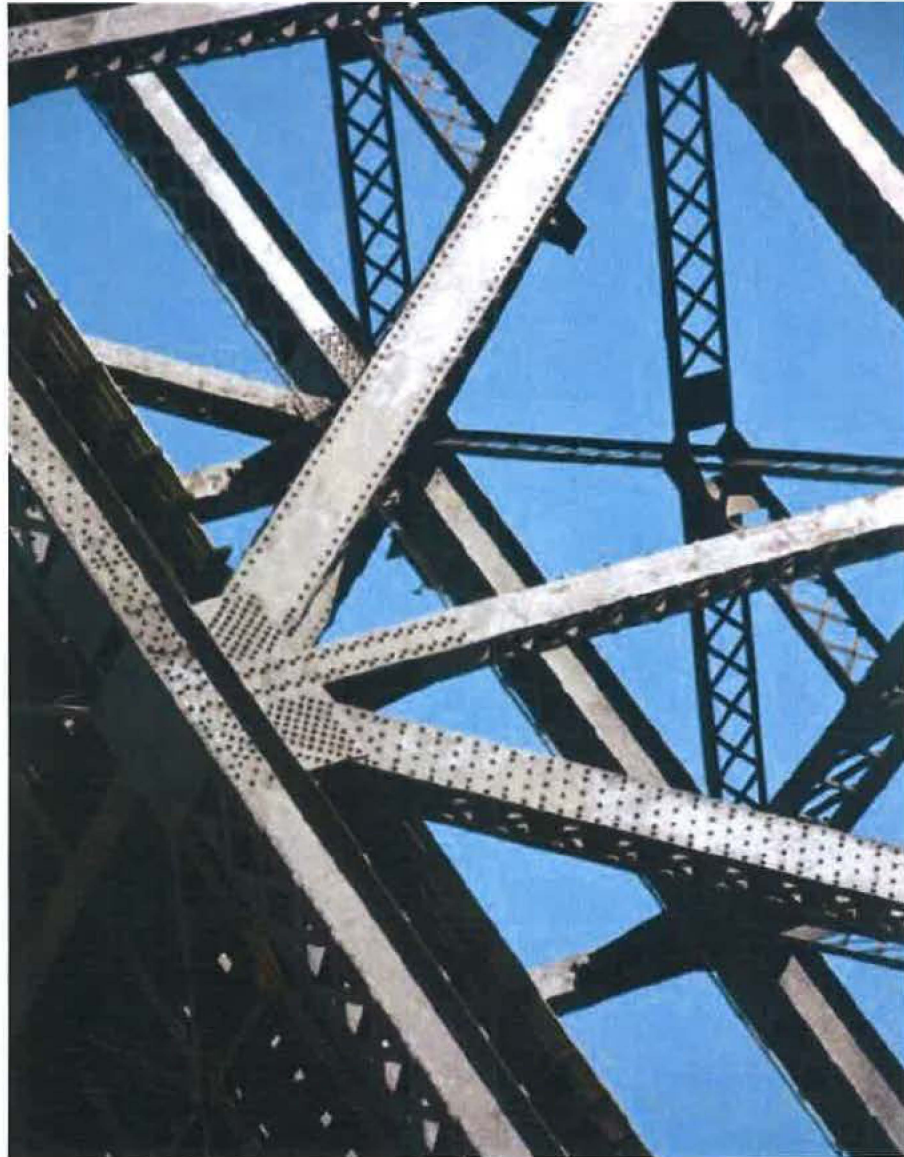


SCENARIO 2

Approval from 60% of those voting on the Amendment.

60% NEEDED





THE PLAN

In general, ballot initiatives are tricky and voter fall-off tends to be high.

And our polling shows this is no different. As a result, we need to launch a strong, statewide media campaign to solidify our support.

Because of the complicated nature of this effort, it is imperative to begin communicating on this issue early.

This is not something that can wait until two weeks before the election when the airwaves are cluttered.

Our team developed a plan that focuses on both television and digital advertising to extend the duration of our communication.

ADVERTISING HIGHLIGHTS

2,500 points on Chicago broadcast over the course of seven weeks.

1,900 points on broadcast over six weeks in Champaign/Springfield, Peoria, and Rockford.

6 weeks of St. Louis cable - the more efficient alternative to broadcast, which spills over into Missouri.

6 weeks of broadcast in the Paducah market on WSIL, the ABC affiliate based in Illinois.

A statewide digital component beginning in July and continuing through the election.

- Digital can be a combination of pre-roll, Facebook, and display ads. We need people to see our message over and over again so that when they vote, they know how to vote and where it will appear.
 - The digital ads will link to the coalition's website that will provide further information, including the full language of the Amendment as it will appear on the ballot.
-

OUR PARTNERS

Citizens to Protect Transportation Funding is a statewide, bipartisan coalition made up of businesses and labor unions representing tens of thousands of Illinois families.

We are committed to strengthening Illinois' infrastructure to help build a thriving economy in every region of the state.



IN SUMMARY

This amendment to constitutionally protect transportation funds is a common-sense measure.

The amendment has strong bipartisan support from Republicans & Democrats and business & labor.

Voters cannot trust Illinois politicians to use transportation revenues on transportation expenditures.

The total cost of diversions since 2002 has been a \$3.2 billion loss in economic output and nearly 5,000 jobs lost.

**YOU
CAN
NEED
HELP**



Contributions Can Be Made Payable To:

Citizens to Protect Transportation Funding
3000 N. Sheridan Road
Suite 18c
Chicago, IL 60657

Questions? Contact:
Jennifer Morrison
Chairperson
(217) 572-1270

A copy of our report filed with the State Board of Elections is (or will be) available on the Board's official website (www.elections.il.gov) or for purchase from the State Board of Elections, Springfield, Illinois.

MARC R. POULOS
Executive Director

Phone: 815.254.3332
Fax: 815.254.3525



**Chicagoland Operators
Joint Labor-Management PAC**

**SUPPORT HJRCA 36
PROPOSED CONSTITUTIONAL AMENDMENT
FOR TRANSPORTATION FUND LOCKBOX**

COMMITTEE MEMBERS

James M. Sweeney
Chairman
IUOE, Local 150

DAVID SNELTEN
Secretary & Treasurer
Excavators, Inc.

DAN AUSSEM
Illinois Valley
Contractors Association

JAY BEHNKE
Material Testing
Technicians and Drillers
Labor Relations Alliance

JOE BENSON
Mid-America Regional
Bargaining Association

KEVIN BURKE
IUOE, Local 150

STEVEN CISCO
IUOE, Local 150

JASON COX
Contractors Association of
Will & Grundy Counties

MARSHALL DOUGLAS
IUOE, Local 150

DAVID FAGAN
IUOE, Local 150

SCOTT HABICH
Chicago Area Independent
Contractors Association

DAVE ROCK
Mid-America Regional
Bargaining Association

STANLEY SIMRAYH
IUOE, Local 150

- HJRCA 36 would put a stop to Road Fund diversions by preventing money from being removed from the Road Fund for any purpose other than transportation;
- Illinois' transportation system has long been underfunded with 16% of bridges in insufficient condition; the City of Chicago largely underspending on transit operations and capital compared to other large national cities; leaving \$75 billion in needed road maintenance funds alone over the next twenty years;
- The vast majority of Illinoisans surveyed want more investment in roads and bridges and 63% say they are willing to pay more in taxes if they *know* that money is going to improve Illinois' roads and bridges;
- In fact, 57% of Illinoisans surveyed are willing to pay \$8 more per month – which is 15 cents per gallon – to fund roads and bridges. An increase of almost \$1 billion in transportation funding;
- However, revenue from the road fund is often diverted to other expenditures, limiting essential revenue that needs to be spent on out crumbling transportation systems;
- In 2006, then Governor Blagojevich issued \$3 billion in State bonds for transportation and infrastructure. However, a large portion of the proceeds were diverted from infrastructure;
- In 2013, the State of Illinois Office of Inspector General found much of Illinois' Road Fund expenditures did not go to direct construction costs in FY11 and FY12;
- In 2015, nearly \$500 million was swept from the Road Fund to balance the State's FY15 budget;
- It is time we protect our investment. It is time we protect the Road Fund;
- We urge your support for HJRCA 36.

SUMMARY

Every family, every community and every business needs infrastructure to thrive. Infrastructure encompasses: your local drinking water supply to the Illinois River; the subway car you take to work to the rail lines spanning the State; and the street in front of your home to the interstate highway system.

“You cannot escape the responsibility of tomorrow by evading it today.”
-Abraham Lincoln

A panel of Professional Civil Engineers and American Society of Civil Engineers (ASCE) members throughout the State graded each infrastructure category according to the following eight criteria: capacity, condition, funding, future need, operation and maintenance, public safety, resilience, and innovation. In 2010, the Infrastructure Grade for Illinois was a D+, reflecting delayed maintenance and underinvestment across most categories.

Now the 2014 Report Card Grades are compiled, and the Illinois cumulative grade for infrastructure rose slightly to a C-. The 2014 Report Card demonstrates that we can improve the current condition of Illinois infrastructure — when investments are made and projects move forward, the grades improve. For example, greater public and private investment for efficiency, connectivity and safety brought improvements in the rail category; renewed efforts in Chicago and across the State helped replace some of our oldest water assets; and, several categories benefited from short-term boosts in funding from the *Illinois Jobs Now!* initiative. However, in categories where we have underinvested or our commitment remains uncertain, the grades have remained unacceptably low.

We know that investing in infrastructure is essential to support healthy, vibrant communities. Infrastructure is also critical for long-term economic growth, employment, household income, exports and re-establishing our State’s competitive advantage. The reverse is also true – without prioritizing our State’s infrastructure needs, deteriorating conditions can become a drag on the economy. Families, businesses and commerce will move elsewhere.

While the modest progress is encouraging, there is much work left to be done. It is clear that we have a significant backlog of overdue maintenance across our infrastructure network, a pressing need to build modern and resilient systems, and an immense opportunity to create reliable, long-term funding sources to avoid wiping out our recent gains.

To raise our infrastructure grades, we need to create sustainable infrastructure investment programs that plan for the future Illinois we want our children to live in, and continue the positive momentum we have seen over the past four years.

www.isasce.org

ASCE
ILLINOIS SECTION

2014
REPORT
CARD

Illinois
INFRASTRUCTURE

ASCE’s *Report Card for Illinois Infrastructure* seeks to inform the public and policy makers about the condition of the State’s infrastructure and how to improve it.

A5-1

Based on 8 criteria (capacity, condition, funding, future need, operation and maintenance, public safety, resilience and innovation).

A = Exceptional: Fit for the Future
B = Good: Adequate for Now
C = Mediocre: Requires Attention
D = Poor: At Risk
F = Failing: Critical: Unfit for Purpose

AVIATION	C+
BRIDGES	C+
DAMS	C
DRINKING WATER	C-
NAVIGABLE WATER	D-
RAIL	C
ROADS	D+
TRANSIT	D+
WASTEWATER	D+

ILLINOIS 2014
GRADE | **C-**

AVIATION. Illinois has 11 commercial service airports, serving over 42 million passengers. The number of passengers at large hub airports—including O'Hare and Midway International Airports—are predicted to grow at an annual rate of 2.3 % through 2040. O'Hare is forecasted to have the highest number of aircraft operations in the U.S. by 2040, and a forecasted 72 % increase in operations at Midway International Airport will make it the 23rd busiest airport in the nation by 2040, up from its current position at 28th. The Illinois aviation system supports hundreds of thousands of jobs and produces billions of dollars in annual economic output. The City of Chicago continues to invest in its airports, but decreasing federal and State funding levels will have an impact on aviation infrastructure, the economy and our global competitive advantage in aviation.

BRIDGES. Illinois is the cross roads for the movement of goods for a large part of the country, and Illinois has the 3rd largest bridge inventory in the nation. Regrettably, 16% of Illinois' bridges are classified as structurally deficient or functionally obsolete. While it is encouraging that the percentages of structurally deficient and functionally obsolete bridges in Illinois are lower than the national average, inevitable increases in the number of trucks and axle loads will degrade roads and bridges more rapidly. A targeted investment strategy is necessary to further decrease the number of structurally deficient and functionally obsolete bridges in the State.

DAMS. Dams in Illinois supply communities with water, create recreational lakes, and provide much needed flood control. Illinois has 1,759 State-regulated dams. The overall condition of dams in Illinois is well above average and the State Dam Safety program is strong. However, there are a number of older dams that were not issued permits. This is a concern because the condition and level of risk posed from these dams are unknown. Many dams are decades old and long-term funding for repair and replacement remains a key issue. Increased funding for the State program to bring the ratio of dams being managed by each dam safety employee more in line with the national norms is recommended.

DRINKING WATER. In 2011, Illinois estimated that the drinking water systems needed an investment of \$19 billion over the next 20 years to replace aging facilities and comply with safe drinking water regulations. However, over that same time period the water quality compliance rate has increased from 93.9% to 96.5%. Through programs such as the Clean Water Initiative, Public Water Supply Loan Program, and the Green Infrastructure for Clean Water Act, Illinois has begun to make steps to improve its drinking water infrastructure. The City of Chicago Department of Water Management's recently adopted 10-year plan for replacing aged water lines is a good step forward. These new efforts benefit our drinking water infrastructure; however, there is still a very long way to go.

NAVIGABLE WATERWAYS. The Mississippi River, Illinois River, Ohio River, and Lake Michigan locks near Chicago provide vital commercial shipping links for goods to travel throughout Illinois as well as the entire country. About 116 million tons of commodities are shipped annually on the 1,118 miles of Illinois' inland waterways, totaling more than \$23 billion. Much of the system was built in the 1930s with a 50-year design life and is now in desperate need of upgrades, rehabilitation, and repair. An unreliable lock and dam system and inadequate funding threaten the future viability of the State's navigable waterway infrastructure which is a key to a national and global competitive shipping advantage.

RAIL. The Illinois rail network is the 2nd largest in the country, and Chicago is the single largest rail hub in the nation. Ridership in Illinois has increased 85% between 2006 and 2011. Every day 500 freight trains with 37,500 cars and 700 passenger and commuter lines pass through Chicago. In 2013, Amtrak recorded its highest year of ridership ever with 6 million Illinois riders. Both freight rail and passenger rail have been investing heavily in their tracks, bridges, and tunnels as well as adding new capacity for freight and passengers bringing a grade improvement. However, rail freight volume is expected to double by 2025, causing congestion and delays unless continued investments are made. Congestion on the State's rail system costs millions of dollars in shipping delays and causes substantial noise and air pollution as trains idle for hours waiting for track clearance. Future rail investment needs are estimated at \$20.5 billion.

ROADS. Between 1990 and 2012, vehicle travel on Interstate highways in Illinois increased 25%, while the population grew by 13% and lane miles added grew by just 11%. Severe traffic congestion costs Illinois' economy billions of dollars in lost productivity each year. Congestion is estimated to cost \$4 billion annually for the Chicago area alone, and 42% of Illinois' major roads are in poor or mediocre condition. Driving on these roads costs Illinois motorists \$3.7 billion a year in extra vehicle repairs and operating costs. Significant investments have been made by the Illinois Tollway and IDOT since the 2010 Report Card, but these funding sources must be supplemented with a long term sustainable funding source at the State and federal level. Illinois' poor roads will continue to hinder the State's ability to spur economic growth and build sustainable, efficient communities.

TRANSIT. Varied transit systems ease congestion and provide a diversity of options for Illinois families and workers. The need to invest in transit will only grow as demand rises. The current capital needs for transit systems in Northeastern Illinois are over \$2 billion annually, and transit ridership in the region is 5% higher than in 2010. The dramatic growth in intra-suburban commuting is a major transit challenge; however, the cost of gasoline, growing environmental concerns, and worsening roadway congestion make efficient and upgraded transit systems valuable. Much of the infrastructure for a world-class transit system, particularly in Northeastern Illinois, is in place, but it has suffered as a result of age and lack of funding. The Chicago region under-spends on transit operations and capital compared to both national and international cities. The estimated need to bring the Chicago region's transit to a state of good repair over the next ten years has risen to \$30.9 billion in 2012 from \$26.1 billion in 2010.

WASTEWATER. Many wastewater management systems in Illinois are more than 100 years old and continue to serve Illinois families and businesses. Currently, the EPA estimates that Illinois must invest \$17.5 billion over the next 20 years to replace existing systems and build new ones to meet increasing demands. Federal assistance alone cannot be expected to meet Illinois' needs. Financial shortfalls will need to be funded by the State of Illinois and its ratepayers if Illinois hopes to maintain the necessary infrastructure to meet its growing population. The Illinois Clean Water Initiative has recently been expanded and time will tell if it can lead to progress toward meeting this vast need.

Illinois' transportation crisis

Illinois has a \$43 billion transportation deficit.

Years of declining investment have left Illinois' roads, rails and bridges in poor shape. We must invest \$43 billion to rebuild and improve our state's transportation network. Doing nothing will actually cost us more: From damaged vehicles to lost time, our crumbling infrastructure is taking money out of our pockets and slowing down our state's economy.

Metropolitan Planning Council (MPC) consulted experts around the state to determine that meeting Illinois' transportation deficit requires an investment of an additional **\$43 billion over 10 years**, or an average of \$4.3 billion each year. That's less than we're already wasting on extra repairs to vehicles as a result of poor road conditions, time lost to congestion and delays, and loss of jobs and investment to neighboring states. **Rebuilding our infrastructure will cost less than continuing to suffer.**

A regular investment of \$4.3 billion each year for the next 10 years will fill the gap so we can make the fixes we need today, plus allow for sensible expansion to accommodate tomorrow. Any less is insufficient to meet the maintenance backlog. Waiting will only increase our costs and put us further behind our neighboring states, who are already taking action to invest more in infrastructure. **We must act in 2016.**

We need sustainable, reliable revenue

To start catching up on our maintenance backlog and adequately plan for the future, Illinois needs a sustainable, reliable revenue source that can raise an additional \$2.7 billion in revenue each year (on top of existing federal and state sources). Of this \$2.7 billion, about half can be used for pay-as-you-go spending, with the other half to support \$25 billion in bonds over the 10 years, meeting the \$43 billion need.

This is equivalent to a \$0.30/gal increase in state motor fuel taxes and a 50 percent increase in vehicle registration fees. The tax and fees should be indexed to the consumer price index to keep pace with inflation.

Why \$43 billion more?

The need over 10 years:

- \$10 billion for state roads (IDOT)
- \$10 billion for local roads
- \$12 billion for Chicago region transit (RTA-CTA, Metra, Pace)
- \$1 billion for downstate transit
- \$1 billion for CREATE
- \$9 billion for new and large-scale projects of all types, with performance-based allocation

10-year cost comparison

Invest to fix and upgrade

\$43 billion

Hidden costs of poor condition

\$37 billion
extra vehicle repairs

+ \$73 billion
cost of congestion

\$110 billion

Vehicle repair cost source: ASCE (see page 3)
Cost of congestion source: 2008 MPC study

One way to \$2.7 billion



+30¢
/gal
gas tax



+50%
registration
fees

Metropolitan Planning Council

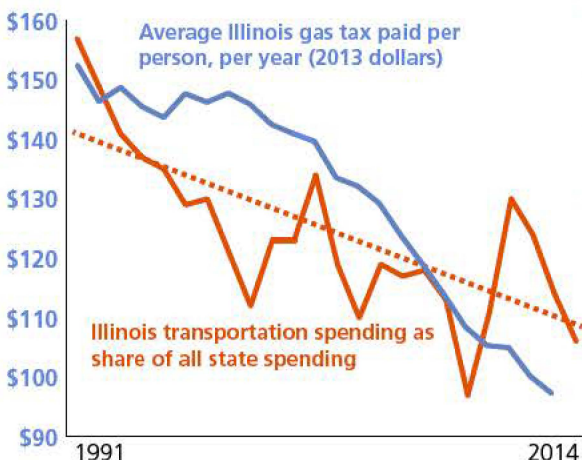
Illinois' transportation crisis

We're in this mess because we've invested less and less

Our failure to invest in infrastructure is costing us dearly: You missed a critical meeting because you were stuck in traffic. One of your delivery trucks hit a pothole and needs expensive axle repair. You're going to be late for dinner with your family because your train had mechanical issues. Transportation snafus are more than headaches: They're stifling our economy and making Illinois less competitive than our neighbors.

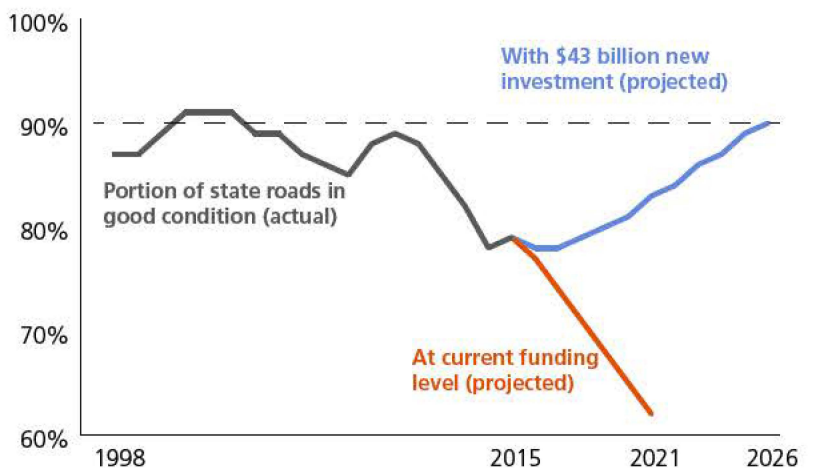
The purchasing power of the state's fixed per-gallon gas tax has declined by more than 40 percent since it was last raised in 1991.

We've collected less, invested less...



Source: State of Illinois, U.S. Census, National Association of State Budget Officers

...and conditions are deteriorating



Source: Ill. Dept. of Transportation, MPC

Since it was last raised in 1991, the purchasing power of the state's fixed per-gallon gas tax has declined by more than 40 percent—reducing the average Illinoisan's contribution from the equivalent of \$160 to under \$100 per year (in 2013 dollars). In turn, transportation spending has fallen by 40 percent, from 13 percent of state spending in 1991 to eight percent in 2014. Meanwhile, the portion of our roads in good condition has fallen from the standard of 90 percent to only 79 percent in 2015. Without action, this will decline to 62 percent by 2021. Transit systems in North-eastern Illinois have also fallen behind dramatically. The Regional Transportation Authority estimates that only about 67 percent of the region's transit network is in a state of good repair. At existing levels of funding, less than half of the system's buses, trains and infrastructure will be in a state of good repair by 2030.

Meanwhile, the portion of our roads that are in good condition has fallen from the benchmark of 90 percent to only 79 percent in 2015—and it's on course to decline to 62 percent by 2021.


In the past we've relied on large but infrequent capital bills to patch together funding. The resulting boom-and-bust cycle was unpredictable and ultimately inefficient. To allow us to return our infrastructure to good condition and accommodate growth, we need a substantial, regular, reliable source of additional revenue.

Investing more would actually cost us less

The additional gas tax and the increase in vehicle registration fees would cost the average person \$12.25 each month, or \$147 each year. That's 40 cents a day. The average Illinois household spends more than \$10,000 a year on transportation. For a fraction more, we can have a system that works. Each month it's the cost of one lunch, or a Netflix subscription.

Or, we can continue to waste \$3.7 billion every year on extra car repairs from poor roads—that's \$450 per driver. Chicagoland commuters waste 114 hours every year sitting in traffic and train riders lose a combined 800,000 hours to preventable delays. What's the cost of that lost time? Certainly more than \$12.25 each month.

Cost per person

to invest +\$43 billion	
40¢	per day
\$12.25	per month
\$147	per year



"Potholes! You cannot avoid them. Two winters ago, damage to my car from a pothole cost \$800 to repair." —*Andrea B., Peoria*

According to the American Society of Civil Engineers, Illinois drivers spend an **extra \$3.7 billion a year on repair bills** for damage from poor roads. That's an extra \$450 per driver every year.



"If the train were more frequent and reliable, it would be a much more attractive alternative to driving." —*Charles H., Elmhurst*

Maintenance and simple improvements to increase reliability (including finishing the CREATE program) could save Illinois train commuters more than **800,000 hours of delays every year**.



"There are a lot of cheap and easy ways we could make biking—and riding the bus—easier in the city." —*Emily O., Chicago*

The latest data from navigation experts TomTom shows drivers in metropolitan Chicago lose **114 hours a year** while stuck in traffic. Cost-effective alternatives like transit, walking or biking are often inaccessible or unsafe for many.

\$147 per year is reasonable

According to an analysis of AAA and tax data, the typical driver in the City of Chicago currently spends \$1,825 for insurance, repairs, gas, registration, license fees and motor fuel taxes. For someone in DuPage County, it's \$1,682; in Peoria County, \$1,580. This does not include the cost of vehicle ownership.

At a household level, the Center for Neighborhood Technology's H+T Index estimates current annual transportation expenses (including the cost of vehicle ownership) for most Illinois households at more than \$10,000. For the typical household in the City of Chicago, it is \$9,150; in DuPage County, \$12,605; and in Peoria County, \$12,682.

Illinois' transportation crisis

Existing plans and new ways of prioritizing will ensure smart investments

Smartly distributing an additional \$43 billion investment requires diligent planning and prioritization. Luckily, we already have statewide, regional and local plans that identify bridges to rebuild, roads to repave, and transit lines to upgrade. In terms of maintenance, we know what we need to fix. We simply need the money to do it.

Transformative, new projects must be prioritized on merit and performance. What is the return on investment of building a new transit line or highway? Agencies around the state have started integrating performance measures into their planning and project selection, and some of these results are already reflected in plans.

When thinking about our transportation network as an asset that we must maintain, we should consider its overall value (or replacement cost) and the cost of maintaining it relative to that value, as a business would for its assets. MPC estimates the replacement cost of all our state's roads, bridges and rails at \$1.85 trillion, based on comparable construction costs, per-mile or per-facility, of recent projects. An additional \$43 billion investment represents only two percent of that value—a reasonable cost for an asset so critical to our state.

In depth: One way to raise the necessary revenue

MPC uses two straightforward, existing transportation revenue sources to illustrate the scale of this deficit. Public opinion research indicates voters prefer to pay for transportation projects with transportation-related user fees, such as the motor fuel tax and registration fees, instead of general taxes like the sales tax or income tax. While other user fees such as tolls and transit fares have increased when necessary, the motor fuel tax has been fixed since 1991, making it a logical candidate.

Adding 30 cents to the existing state motor fuel tax would raise an estimated \$2 billion each year. Increasing vehicle registration fees (for all types) by 50 percent would raise an estimated \$690 million. Of this \$2.7 billion in new annual revenues, an average of \$1.8 billion would be available annually for pay-as-you-go (PAYGO) spending, much of it weighted toward the early years of the program, with the remaining reserved for ramping up bond payments. This could support a total of \$25 billion in bonds, released incrementally each year as needed, over 10 years. These bonds would be paid back over 25 years with the continuing revenue. (We assume a 5 percent rate.)

MPC recommends the state constitution be amended to create a transportation trust fund to protect this revenue. To acknowledge the effect of these increases on lower- and middle-income Illinoisans, the state earned income tax credit should double to 20 percent of the federal amount.

Even with bond repayments, the additional revenues provided by this increase would provide an additional \$1 billion in annual transportation funding after the 10-year initial funding period. In the long term, MPC recognizes the need to shift toward a user fee that is not tied to fuel purchases. We must begin exploring a vehicle miles traveled (VMT) fee today so that we can have full implementation by 2025.

For more information

For more information, contact Peter Skosey at pskosey@metroplanning.org or 312 863 6004.

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Funding Infrastructure Isn't 'Sexy': Illinois And Chicago Infrastructure Is Underfunded, Neglected

March 2, 2015 at 3:59 pm Filed Under: bridges, Chicago, city, Dams, highway, Illinois News, Infrastructure, Mason Johnson, Report Card, roads



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Traffic jams up on the Kennedy Expressway leaving the city.

(Photo by Scott Olson/Getty Images)

MOST VIEWED

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-  Ring Of Fire Solar Eclipse Visible From Chicago
-  Transit Union Head Says Crime In Chicago Has Left CTA Drivers Unsafe And Labor Action Could Follow
-  Man Wore Dreadlock-Wig Disguise While Attacking Ex-Wife With Metal Pipe, Prosecutors Say
-  Large Gatherings Have Been Creating Chaos In Some South, West Side Neighborhoods With One Involving Twerking On A Police Car -- And Residents Want It To Stop

CPD Investigating Video Of 3 Women Dancing On Top Of Police Cruiser

The American Society of Civil Engineers gave Illinois a combined "C-" for infrastructure, which isn't surprising, considering the federal and state governments struggle to maintain America's roads, bridges and dams.

In a recent episode of "Last Week Tonight," John Oliver mocked politicians for describing infrastructure as "not sexy" and failing to find adequate funding for the nation's many roads and bridges. Pointing out that America now ranks 16th in the world for Global Competitiveness when it comes to infrastructure, Oliver tore into House Speaker John Boehner and the White House alike for their lack of solutions. Of his many examples, the late-night comedian brought up the federal gas tax. Meant to fund highways across the nation, the tax is currently 18.4 cents per gallon, which hasn't been

updated for inflation since 1993. Had it kept up with inflation, the tax would have risen 39 percent.

READ MORE: [Illinois Enters Phase 5 Of Reopening; Chicago Businesses Open At Full Capacity Friday](#)

Including state and local taxes, Illinois currently taxes 49.1 cents a gallon – making 15 states more expensive than Illinois.

As of 2013, the American Society of Civil Engineers gave the nation's infrastructure a "D+". Illinois also received a "D+" in 2013, but has since risen up to a "C-".

Unless you're an art school college student who's gone from skipping most of his classes to only skipping some, that's not something to celebrate.



Are You A Ready To Die Today? ; Jo iet Man Who Ki ed 18-Month-O d Son Had Revoked FOID Card, But Never Surrendered His Gun



With Expressway Shootings A Crisis In Chicago Area, Suburban Man Says He Was Narrow y Missed On I-290 In August

Infrastructure: Last Week Tonight with John Oliver (HB

The grade is an average of nine criteria. For Illinois, navigable waterways, which received a "D-", was the harshest grade.

"An unreliable lock and dam system and inadequate funding threaten the future viability of the State's navigable waterway infrastructure which is a key to a national and global competitive shipping advantage," the ASCE report stated.

Okay, fine, it's hard to get along on the river. How about the other criteria?

Transit and roads, the two criteria commuters are probably most concerned with, received "D+" grades.

READ MORE: [Jamari Dent, Who Tried To Commit Suicide After Merciless Bullying At School, Dies At Age 13](#)

When it comes to Illinois roads, the ASCE states that Illinois and Chicago suffer hefty losses: "Congestion is estimated to cost \$4 billion annually for the Chicago area alone, and 42% of Illinois' major roads are in poor or mediocre condition."

The ASCE states that Northeastern Illinois loses out on transit opportunities thanks to a lack of funding.

And when it comes to Chicago, one of the biggest cities in the country, the ASCE said the “Chicago region under-spends on transit operations and capital compared to both national and international cities. The estimated need to bring the Chicago region's transit to a state of good repair over the next ten years has risen to \$30.9 billion in 2012 from \$26.1 billion in 2010.”

A Regional Transportation Authority analysis estimates local transit needs to be higher, [determining that the CTA, Metra and Pace face \\$36.4 billion in capital needs over the next 10 years.](#)

The highest ranks went to aviation and bridges, which both received “C+” grades.

Sure, many states are in the same condition as Illinois, but that doesn't really take away the sting, nor does it improve our roads, bridges or dams. Instead of getting up on a soapbox, I'll leave you with a few details from the [ASCE's report](#):

Illinois has 212 high hazard dams.

85 of Illinois bridges are in need of repair.

7.4% of Illinois' bridges are considered functionally obsolete.

Driving on roads in need of repair costs Illinois motorists \$3.7 billion a year in extra vehicle repairs and operating costs – \$448.61 per motorist.

Illinois has reported an unmet need of \$647.3 million for its parks system.

It is estimated that Illinois schools have \$8.2 billion in infrastructure funding needs.

MORE NEWS: [Illinois State Inspector Fired After Groping, Sexually Harassing Doggy Daycare Owner](#)

Mason Johnson is a Web Content Producer for CBS Chicago. You can find him on [Twitter](#).



Illinois State Police Investigating YouTube Videos Posted By Driver Who Filmed His Own Dangerous Driving

Authorities Release Sketch Of Attacker Who Sexually Assaulted Teenage Girl On Bike Path In Beach Park



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Marc Poulos Testimony on House Bill HJRCA36

Good afternoon.

My name is Marc Poulos and I am the Executive Director of the Indiana, Illinois, Iowa Foundation for Fair Contracting. The III FFC is a not-for-profit labor-management organization established to support, promote, and encourage fair contracting by providing a level playing field in the public construction arena. Since its inception, the III FFC has focused on prevailing wage compliance and productive infrastructure investments by educating contractors, workers, and public officials.

We are is focused on transportation infrastructure and the importance of high-road, middle-class construction jobs.

I am here today to talk to you about transforming the way we fund transportation.

Illinois is in a strategically favorable position. And, Illinois is the transportation hub of the nation. There are nearly 70 public transit providers in Illinois, transporting over 400 million rides to workers, families, and tourists on Illinois roads. Half of the nation's freight goes through Chicago. And although Illinois already has the 2nd largest rail network in the country, rail freight volume is expected to increase by 24 percent in the next ten years. This projected increase in rail demand will further increase congestion costs. With millions of passengers and freight traveling within the state each and every day, infrastructure investment of all transportation modes is an economic imperative to Illinois.

But Illinois' transportation systems have been underfunded for far too long. Illinois' roads are crumbling, 16 percent of bridges are in insufficient condition, and the City of Chicago largely underspends on transit operations and capital compared to other large national cities. If the state takes no action, one in every three road miles and one out of every 10 bridges will be structurally deficient or functionally obsolete by 2020. This is an unfunded liability as bad as the pension crisis, if not worse. Illinois needs proper investment in transportation infrastructure *now*.

Illinois' overdue infrastructure maintenance has created numerous safety, congestion, and freight movement challenges. Approximately 42 percent of roads are in "poor to mediocre" condition, costing the State more than \$2 billion annually. In the Chicagoland area alone, traffic congestion causes \$4 billion in lost economic productivity. Driving on these poor conditioned roads costs Illinois motorists another \$4 billion in extra vehicle repairs every year. Over 6,000 roads and 1,000 bridges on the state system will be in backlog condition with the current revenue stream by 2020.

Maintaining the existing system is important, but the state also needs to improve capacity and invest in modern infrastructure to meet the growing demand. The Metropolitan Planning Council recently estimated that Illinois has a transportation deficit of \$43 billion! Illinois needs at least \$4.3 billion per year over the next decade to fix and improve existing roads, bridges, and public transit systems that are in poor condition. If no action is taken to raise revenue for infrastructure needs, the state will lose an additional \$110 billion over ten years in vehicle repairs and congestion costs. Illinois is in dire need of investments in infrastructure, which in turn will promote business and economic growth.

One problem has been a *perceived* lack of public support. Take raising the Motor Fuel Tax in Illinois, for example. If the Motor Fuel Tax had just been adjusted to inflation from 1993 to 2015, the State of Illinois would have raised \$10 billion in additional revenue. Since 1993, the price of milk has gone up. The price of cars have gone up. The cost of construction has gone up. But the Motor Fuel Tax has stayed the same. Today, if we make the inflationary adjustment and increase the Motor Fuel Tax rate by 15 cents per

gallon, Illinois would raise an additional \$1 billion in new revenue every year. We are harming our economy by underfunding our transportation needs.

And, a recent poll found that Illinoisans are ready and willing to spend more money on roads. However, the vast majority of Illinoisans surveyed want more investment in roads and 63 percent say they are willing to pay more in taxes if they *know* that money is going to improve Illinois' roads. The average Illinois resident pays far more on his or her phone bill per month than he or she does on transportation costs. And in fact, 57 percent of Illinoisans surveyed are willing to pay \$8 more per month – which is 15 cents per gallon for the average driver – to fund a road investment program of nearly \$1 billion. But, again only if there are guarantees in place that the \$1 billion will go to fund infrastructure.

This is no surprise. In 2006, then-Governor Rod Blagojevich and legislators issued \$3 billion in state bonds for transportation and infrastructure projects across Illinois. However, a large portion of the Road Fund bond has been diverted from roads, bridges, and public transit infrastructure costs. In 2013, the State of Illinois' Office of the Auditor General found that less than half of Illinois' Road Fund expenditures went for direct road construction costs in FY11 and FY12. Revenue of the Road Fund is often diverted to other expenditures, limiting the essential revenue that needs to be spent on crumbling transportation systems. In 2015, another \$250 million was taken away from the Illinois' Road Fund to “balance” the state budget. Illinois must find a better solution to fund this massive \$43 billion transportation deficit. Illinois residents want and need to know that their motor fuel tax dollars are going to fix their roads. But this can only be done with a limitation of what the revenues can be used on.

We urge your support for HJRCA36.

Sources

American Society of Civil Engineers (ASCE). (2014). “2014 Report Card for Illinois’ Infrastructure.” Illinois section.

Anzalone Liszt Grove Research. (2016). “Road-Improvement Polling Results.”

Hill, Chris. (2015). “Illinois House ‘Fund Sweep’ Bill to Pull from Road, Construction Funds to Balance State Budget.”

Hinz, Greg. (2006). “Gov. Blagojevich Maps \$3-Billion Road Plan.”

Illinois Department of Transportation (IDOT). (2014a). “Illinois State Rail Plan: Project Overview.”

Illinois Department of Transportation (IDOT). (2014b). “Multi-Year Program (MYP).”

Illinois Economic Policy Institute (ILEPI). (2015). “The I-RIDE Proposal: Smart, Reliable Policy to Fund Transportation Infrastructure.”

Illinois Economic Policy Institute (ILEPI). (2016). “A \$10 Billion Loss: Illinois’ Motor Fuel Tax Should Have an Inflationary Adjustment.”

Metropolitan Planning Council (MPC). (2016). “Illinois’ Transportation Crisis.”

State of Illinois Office of the Auditor General. (2013). “Road Fund Revenue and Expenditures.”

What You Need to Know About the Transportation Lockbox Amendment

Called the Safe Roads Amendment by its supporters, this proposal will be at the top of Illinois voters' ballots. Here's what you need to know.

BY BETTINA CHANG
NOVEMBER 3, 2016, 12:51 PM



Illinois voters will decide whether transportation taxes should be placed in a "lockbox" for budgeting purposes. Might sound boring, but it's pretty important.

Photo: Antonio Perez/Chicago Tribune

A constitutional amendment on next week's ballot isn't getting nearly as much attention as Trump vs. Clinton, but it could still have significant impact on

Illinois's future.

At the top of the ballot, voters will get to decide whether the Illinois Transportation Taxes and Fees Lockbox Amendment, known by its proponents as the Safe Roads Amendment, should be added to the state constitution. Here's what you need to know.

What It Says

The amendment stipulates that any taxes and fees collected in relation to the state's transportation systems can be used only to fund programs related to transportation. For example, when you pay a registration fee for your car or buy a parking permit, the state (or city, in the latter case) will be forced to put that money in a "lockbox" and use it only for things like fixing potholes or administering the CTA.

One issue opponents raise is that the wording of the amendment is vague about exactly what would qualify as transportation-related expenses, according to the [Chicago Metropolitan Agency for Planning](#) (more on this later). Supporters say that more details will be hammered out in the legislature to help implement the new amendment if it is passed.

Who Supports It

The amendment easily passed the General Assembly with bipartisan support. Its main proponent is a group called Citizens to Protect Transportation Funding, a coalition of political groups and construction industry lobbyists. The top three donors to the group are the Fight Back Fund (\$1 million), Excavators Inc. (\$300,000), and Carpentry Advancement Fund (\$250,000), and most of this money has been used to buy TV ads. The amendment also has endorsements from

newspapers including the *Dispatch-Argus*, *Quad-City Times*, as well as the Chicago-based **Metropolitan Planning Council**.

How It Came to Be

Supporters say that the lockbox is needed to preserve adequate funds for transportation and infrastructure budgets. They say that over the past 12 years \$6.8 billion has been siphoned from transportation budgets to pay for other bills around the state. (Opponents **dispute** this number—they say it's closer to \$520 million, and that most of the \$6 billion was used to pay bonds that went toward funding transportation.)

With the state's continued budget woes, this amendment would guarantee that transportation-related revenue would go straight toward transportation-related expenses and nowhere else. Marc Poulos, a leader of CPTF and head of Operating Engineers Local 150 union, says: "Even with the lockbox we don't have enough money for transportation. There's a \$43 billion shortfall in the next 10 years. ... Transportation and infrastructure has taken a back seat."

Poulos calls the amendment a step toward "honest budgeting" where, when taxes and fees are advertised as paying for a particular item (like road upkeep), those revenues will remain committed to that item regardless of the finagling that legislators do to balance budgets.

Who Opposes It

No formal lobbying group has emerged to oppose this amendment, but several major policy groups and newspapers have come out against it, including the *Chicago Tribune*, *Crain's Chicago Business*, University of Chicago's **Center for Municipal Finance**, and **Better Government Association**. There have been no major fundraising or ad buys in opposition to the amendment.

Why They Oppose It

Few people disagree that transportation and infrastructure spending is important, but it's a matter of priorities. One common critique is that the amendment will protect transportation funding while leaving other essential state programs—education, social services, emergency services, and the like—open to further funding cuts.

The bipartisan [Center for Tax and Budget Accountability](#) this week called the amendment "bad policy" due to its inflexible nature. According to Daniel Hertz, an analyst with CTBA who has written for *Chicago* on transportation matters: "We think the budgeting process is a place where we work out what our priorities are, and locking in one issue prevents us from doing that. The bigger picture is that ... our revenues aren't big enough for what we spend. The amendment would not just protect transportation funding, it would take it away from others."

Opponents also say the amendment is vague about what constitutes transportation expenses or revenue, which could lead to unintended consequences. For instance, when you buy a vanity license plate to, say, support firefighters, some of that money goes to the fund for firefighters, a non-transportation expense. Poulos says that would all be hammered out in subsequent legislation, but opponents say the amendment should be more specific so it doesn't result in misuse.

Another worry is that the amendment will protect sweetheart deals to transportation contractors despite the state's budget woes.

The Results

The amendment needs at least 60 percent of voters on this item to vote yes, *or* at least 50 percent of all voters in the election. According to a Paul Simon Public

Policy Institute Poll this fall, 80 percent of voters supported the measure. If the amendment is approved, it officially becomes part of the constitution, and Poulos says legislators will then work to implement and clarify any issues that come up that are not directly addressed in the amendment text.



Illinois voters to see roads 'lockbox amendment' on November ballot

By Sophia Tareen, The Associated Press

Posted Aug 16, 2016 at 5:56 PM

Updated Aug 16, 2016 at 5 56 PM

CHICAGO When Illinois voters head to the polls in November, their first ballot question won't involve U.S. presidential candidates, but a measure aimed at preventing transportation related funding in the state from being used for other purposes.

Here's a look at the proposed constitutional amendment:

WHAT'S THE QUESTION?

Transportation-related funds — generated in part by tolls, license fees and the gas tax — have been targeted by state government for unrelated spending over the years. The Transportation for Illinois Coalition, made up of business groups and unions, estimates that since fiscal year 2003 over \$6.8 billion set aside for transportation projects was spent elsewhere.

The so called "lockbox amendment" on the Nov 8 ballot proposes the money be used solely for transportation-related purposes, such as construction or paying debt related to transit projects. State officials have long noted Illinois' deteriorating system of roads, bridges and railways, something the Chicago-based Metropolitan Planning Council estimates it'd take \$43 billion in spending over 10 years to address.

Democratic state Rep. Brandon Phelps of Harrisburg sponsored the amendment as a good alternative to raising taxes that'll also increase safety and help draw new companies to Illinois.

"Our infrastructure is crumbling right now," he said.

WHO SUPPORTS IT?

Support is widespread and bipartisan, a rare occurrence in Springfield these days as first-term Republican Gov. Bruce Rauner and the Democratic-controlled Legislature remain at odds over a full budget. A partial spending plan expires in January.

The proposal easily passed the House and Senate. No senators voted against it and just four House members did, though one was Majority Leader Barbara Flynn Currie. The Chicago Democrat questioned the approach to only protecting transportation funding.

“Why raise this to the highest priority for spending?” she said “Why don’t we put education funding into a lockbox?”

Backers, including the Illinois Chamber of Commerce, unions and construction groups, say the measure will boost safety statewide and protect jobs by prioritizing road and bridge work. They launched an awareness campaign Tuesday with \$1.2 million they’ve raised

HOW WILL IT PASS?

There are two ways the constitutional amendment can succeed. It can get affirmative votes either from at least 60 percent of the people voting on the amendment itself or by a majority of everyone voting in the election overall.

Backers say their biggest challenge is educating voters, who may be tempted to skip over the question

Michael Sturino, head of the Illinois Road and Transportation Builders Association, admits it’s written in “confusing and complex legalese” and simplifying it to voters is the motivator for the advocacy campaign that’ll include a website and television ads.

IT’S THE ONLY CONSTITUTIONAL AMENDMENT?

So far, yes. Other legislative attempts faltered, including proposals to eliminate the lieutenant governor’s office and institute a graduated income tax

Another petition-driven question on redistricting is awaiting an Illinois Supreme Court decision after a county judge ruled it unconstitutional for the ballot. The measure proposes giving a commission the power to draw legislative maps

instead of elected officials.

More

Pekin Area Chamber of Commerce

Our Vision: To be the trusted partner for the Pekin business community. Our Mission: To foster and promote a vibrant business environment for the benefit of our members.

[Pekin Area Chamber of Commerce](#)
[Pekin Marigold Festival](#)
[Chamber Facebook Page](#)
THURSDAY, SEPTEMBER 22, 2016

Chamber Board Passes Transportation Resolution

Pekin Area Chamber of Commerce

Board of Directors

September 14, 2016

Resolution of Support for

Illinois Transportation Legislative Initiative

WHEREAS, transportation infrastructure is critical to the safety, quality of life and economic vitality throughout Illinois; and

WHEREAS, the transportation system in Illinois is comprised of a seamless network of state highways, county highways, city streets, and township roads, as well as transit, rail and other alternative forms of transportation; and

WHEREAS, citizens are reliant upon the vast and seamless network of public roads to carry business, products, services, postal delivery, parcel delivery, utilities, school bus, agriculture, emergency services; and,

WHEREAS, the users of this system of public roads in Illinois pay for the upkeep and improvement of those public roads through highway user fees; and

WHEREAS, local government is responsible for over 88% of the public road mileage in Illinois carrying 40% of the traffic in the state, thereby contributing 40% of the highway user fees collected by the state, including both motor vehicle revenue paid to the Secretary of State and motor fuel tax paid at the fuel pump; and

WHEREAS, in 2014 only 21.5% of those highway user fees were returned to reinvest in local roads, which was \$577 million less than the 40% generated by local roads, which received \$561 million in MFT distributions; and

WHEREAS, the continual reinvestment of highway user fees in the basic maintenance that is necessary for every part of the highway network is absolutely essential for those benefits of safety, quality of life and economic vitality to continue; and

WHEREAS, the State of Illinois has not approved a transportation capital program that maintains support of ongoing funding for that continual reinvestment since 1999 and yet local roads in Illinois have experienced costs for basic county highway maintenance in 2014 that were 2.4 times greater than they were in 2000 and those costs continue to climb while local governments are forced to defer and even suspend the most basic maintenance on their local roads; and



PEKIN AREA CHAMBER OF COMMERCE

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WHEREAS, the number of commercial vehicles along with their sizes and weights continue to grow due to the competitive world market requiring improvements to the local road system to safely accommodate such increase in the number, sizes and weights of commercial vehicles in relation with all other highway users; and

WHEREAS, it is critical for every local government to improve their local roads in order to continue to be an effective part of the seamless highway network that allows Illinois to supply its produce, products and services to the world market competitively; and

WHEREAS, the state's economy continues to face pressures that would be mitigated by a public infrastructure capital construction initiative to provide workers throughout Illinois, from highly urbanized to rural areas, with employment, along with jobs associated with capital infrastructure improvement, such as equipment and material suppliers; and

WHEREAS, it is important to focus on the entire transportation system, including local and state roads, interstate highways, bridges, public transit, airports, waterways and freight rail because no partial component operates without other systematic elements of the transportation network.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Pekin Area Chamber of Commerce does hereby notify the Governor, Legislators and the IDOT Secretary that we request the adoption and implementation of the Illinois Transportation Legislative Initiative to Benefit the Economy and the Citizens of the State of Illinois; and this Illinois Transportation Legislative Initiative specifically requests:

1. The Illinois DOT Secretary will seek input from and collaborate with County Engineers, Municipal Street Officials, Township Highway Commissioners and Transit Officials to develop an *Illinois Transportation Plan* to immediately begin to address the needs of our Illinois transportation system using the funding distribution of 80% Highways/20% Transit with the highway funding sub split of 60% IDOT/40% Local Roads, distributing formula; and
2. The Governor and General Assembly will adopt and ensure implementation of an Illinois Transportation Bill that requires the distribution of all highway user fees and additional transportation investment at the same funding distribution through the existing MFT distribution formula as identified above.

BE IT FURTHER RESOLVED that upon adoption, signed copies of this resolution shall be forwarded to:

- The Honorable Bruce Rauner, Governor of the State of Illinois
- The Honorable John Cullerton, President of the Illinois Senate
- The Honorable Michael Madigan, Speaker of the Illinois House of Representatives
- The Honorable Christine Radogno, Minority Leader of the Illinois Senate
- The Honorable James Durkin, Minority Leader of the Illinois House of Representatives
- The Honorable State Senators & Representatives of our area
- Randy Blankenhorn, Secretary of the Illinois Department of Transportation

PASSED THIS 14TH DAY OF SEPTEMBER 2016

"CODE BREAKERS" CL...

HIGH SCHOOL JUNIORS
AND SENIORS INVITED
TO ICC "C...

Yoga Happens Here

September Biz Barometer

Chamber Board Passes
Transportation Resolution

Commerce Bank Ribbon
Cutting

Ribbon Cutting Ceremony for
Veteran's Drive

Save the date for the
BikeConnect HOI Regional
Bic...

Bartons Earmark Seven-
Figure Gift for Proposed
Sus...

Carr celebrates 10 years at
Hanson's Peoria office

Illinois American Water
"Imagine A Day Without
Wat...

Employer Business Needs
Workshop

Mashie's Pub & Eatery
PaintNite

Chamber Week: History of
Executive Directors

Chamber Week - More
History

New Illinois Law Limits Non-
Compete Agreements

Chamber History

The Retail Project

Chamber Connection

MORTON COMMUNITY
BANK OPENS
CHAMPAIGN-URBANA
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ILLINOIS CENTRAL
COLLEGE THEATRE
SEASON OPENS WITH...

State of Illinois Recognizes
Chambers and Their Co...

Bergner's Goodwill Sale
Offers 25% off Coupons
for...

EXHIBITIONS BY TWO
LOCAL ARTISTS OPEN
AT ICC SEPTE...

ICE SKATING IS EASY...IF
YOU KNOW HOW

Pekin Park District's Healthier
Lifestyle Workshop...

Savant Capital Management
Ranked by Barron's as a ...

OneMain Race Car in Pekin
on Tuesday

ProHealth Medical Group
Welcomes New OB/GYN
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/s/ John Franks III, President of the Board of Directors


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Liberty Village of Pekin



CHAMBER AMBASSADORS

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John Abel, Preston Hanley Funeral Homes

Debbie Fornoff, Debbie Fornoff Interior Design & Draperies

Blake Hunter, Steger's Furniture

Carly Lou, Pekin Insurance

Rev. Jim McClarey, First United Methodist Church

Joan Million, Associated Bank

Dan Pfeiffer, State Farm

Julie Regan, UnityPoint Health - Pekin

Paul Scherer, Pekin Community Bank

Angie Sepich, CEFCU

Noele Tatlock, Unland Companies

Jeremy Test, U.S. Cellular

Teresa Ann Tucker, Individual Member

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Amy Whiting-McCoy, Executive Director

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**DEKALB COUNTY GOVERNMENT
COUNTY BOARD MEETING**

January 18, 2017

7:30 p.m.

AGENDA

1. Roll Call
2. Pledge to the Flag
3. Approval of Minutes
4. Approval of Agenda
5. Communications and Referrals:
 - a. Employee Service Awards
6. Persons to be Heard from the Floor – *On topics that were not subject to a Public Hearing*
7. Proclamations - None
8. Appointments for this Month:
 - a. **Board of Health:** Jill Tritt, JD, appointed to fill the unexpired term of Keith Foster, JD, until December 31, 2018. LeAnn Gruber, Celeste Latham, Mayuri Morker, and Christine Jones all reappointed for three year terms until December 31, 2019. Kevin Bunge appointed for a one year term until December 31, 2017.
 - b. **DeKalb County Rehab & Nursing Center Operating Board:** Ferald Bryan and Veronica Casella reappointed for two year terms until December 31, 2018.
 - c. **Supportive Living Facility Board:** Ferald Bryan and Veronica Casella reappointed for two year terms until December 31, 2018.
 - d. **DeKalb County Convention & Visitors Bureau:** Derek Hiland appointed to fill an unexpired term until June 30, 2017.
 - e. **Ad Hoc Rules Committee:** Marjorie Askins, Tim Bagby, Steve Faivre, John Frieders, Tracy Jones, Dianne Leifheit, Mark Pietrowski and Paul Stoddard all appointed immediately until November 30, 2018.
9. Reports from Standing Committees & Ad Hoc Committees

PLANNING & ZONING COMMITTEE

No Actionable Items

COUNTY HIGHWAY COMMITTEE

- a. **Resolution R2017-01:** Resolution of Support to Benefit the Economy & the Citizens of Illinois through the Illinois Transportation Legislative Initiative. *The DeKalb County Board hereby requests that the Governor, Legislators and IDOT Secretary adopts and implements the Illinois Transportation Legislative Initiative to benefit the economy and citizens of the State of Illinois and more specifically seek input to develop an Illinois Transportation Plan to immediately begin to address the needs of our Illinois Transportation System using the funding distribution of 80% Highways / 20% Transit with the Highway Funding sub split of 60% IDOT / 40% Local Roads, distributing the Local Road share through exiting MFT distribution formula; The County Board further requests for the Governor and General Assembly to adopt and ensure implementation of an Illinois Transportation Bill that requires the distribution of all highway user fees and additional transportation investment at the same funding distribution through the existing MFT distribution formula as identified above. Committee Action: A motion was made by Mr. Stoddard and seconded by Mr. Bunge to forward the resolution to the full County Board recommending approval. Motion passed unanimously.*

ECONOMIC DEVELOPMENT COMMITTEE

- a. **Resolution R2017-02:** Comprehensive Economic Development Strategy (CEDS) Initiative. *The DeKalb County Board does concur with the recommendations of the Economic Development Committee and hereby approves (a) the continuation of an alliance with our community partners from the previous visioning process and that said partners serve as an overall Steering Committee, (b) the agreement with Northern Illinois University's Center for Governmental Studies to guide and coordinate the process to complete a Comprehensive Economic Development Strategy, (c) accepts with thankfulness a \$20,000 grant from the DeKalb County Community Foundation to be used towards the formulation of this Strategy, and (d) authorizes the Board of Directors of the DeKalb County Economic Development Corporation to serve as the Planning Committee that will gather input from public and private sectors throughout DeKalb County so that the completed Comprehensive Economic Development Strategy is reflective of the needs and wishes of all the various stakeholders as an economic development course is charted for the future. Committee Action: Moved by Mrs. Emmer, seconded by Mr. Brown and approved unanimously.*
- b. **Resolution R2017-03:** Selecting DeKalb County Convention & Visitors Bureau as the County's Agency of Record for Tourism Promotions. *The DeKalb County Board hereby selects the DeKalb County Convention and Visitors Bureau as DeKalb County's Agency of Record for Tourism Promotions for the Illinois Office of Tourism for the 2017 Fiscal Year (January 1, 2017 to December 31, 2017). Committee Action: Moved by Mrs. Emmer, seconded by Mr. Osland and approved unanimously.*

HEALTH & HUMAN SERVICES COMMITTEE

No Actionable Items

LAW & JUSTICE COMMITTEE

No Actionable Items

Resolution #R2017-01***Illinois Transportation Legislative Initiative*****Resolution of Support to Benefit the Economy & the Citizens of Illinois
(80% Highways/20% Transit & Highways Portion at 60% IDOT/40% Local Roads)**

WHEREAS, transportation infrastructure is critical to the safety, quality of life and economic vitality throughout Illinois; and

WHEREAS, the transportation system in Illinois is comprised of a seamless network of state highways, county highways, city streets, and township roads, as well as transit, rail and other alternative forms of transportation; and

WHEREAS, citizens are reliant upon the vast and seamless network of public roads to carry business, products, services, postal delivery, parcel delivery, utilities, school bus, agriculture, emergency services; and,

WHEREAS, the users of this system of public roads in Illinois pay for the upkeep and improvement of those public roads through highway user fees; and

WHEREAS, local government is responsible for over 88% of the public road mileage in Illinois carrying 40% of the traffic in the state, thereby contributing 40% of the highway user fees collected by the state, including both motor vehicle revenue paid to the Secretary of State and motor fuel tax paid at the fuel pump; and

WHEREAS, in 2014 only 21.5% of those highway user fees were returned to reinvest in local roads, which was \$577M less than the 40% generated by local roads, which received \$561M in MFT distributions; and

WHEREAS, the continual reinvestment of highway user fees in the basic maintenance that is necessary for every part of the highway network is absolutely essential for those benefits of safety, quality of life and economic vitality to continue; and

WHEREAS, the State of Illinois has not approved a transportation capital program that maintains support of ongoing funding for that continual reinvestment since 1999 and yet local roads in Illinois have experienced costs for basic county highway maintenance in 2014 that were 2.4 times greater than they were in 2000 and those costs continue to climb while local governments are forced to defer and even suspend the most basic maintenance on their local roads; and

WHEREAS, the number of commercial vehicles along with their sizes and weights continue to grow due to the competitive world market requiring improvements to the local road system to safely accommodate such increase in the number, sizes and weights of commercial vehicles in relation with all other highway users; and

WHEREAS, it is critical for every local government to improve their local roads in order to continue to be an effective part of the seamless highway network that allows Illinois to supply its produce, products and services to the world market competitively; and

WHEREAS, the state's economy continues to face pressures that would be mitigated by a public infrastructure capital construction initiative to provide workers throughout Illinois, from highly urbanized to rural areas, with employment, along with jobs associated with capital infrastructure improvement, such as equipment and material suppliers; and

WHEREAS, it is important to focus on the entire transportation system, including local and state roads, interstate highways, bridges, public transit, airports, waterways and freight rail because no partial component operates without other systematic elements of the transportation network; and

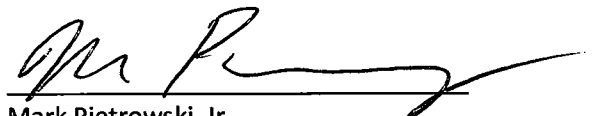
NOW THEREFORE BE IT RESOLVED that we hereby notify the Governor, Legislators and the IDOT Secretary that we request the adoption and implementation of the *Illinois Transportation Legislative Initiative* to Benefit the Economy and the Citizens of the State of Illinois; and this *Illinois Transportation Legislative Initiative* specifically requests:

1. The Illinois DOT Secretary will seek input from and collaborate with County Engineers, Municipal Street Officials, Township Highway Commissioners and Transit Officials to develop an *Illinois Transportation Plan* to immediately begin to address the needs of our Illinois transportation system using the funding distribution of 80% Highways/20% Transit with the highway funding sub split of 60% IDOT/40% Local Roads, distributing the Local Road share through existing MFT distribution formula; and
2. The Governor and General Assembly will adopt and ensure implementation of an *Illinois Transportation Bill* that requires the distribution of all highway user fees and additional transportation investment at the same funding distribution through the existing MFT distribution formula as identified above.

BE IT FURTHER RESOLVED that upon adoption, signed copies shall be forwarded to:


- The Honorable Bruce Rauner, Governor of the State of Illinois
- The Honorable John Cullerton, President of the Illinois Senate
- The Honorable Michael Madigan, Speaker of the Illinois House of Representatives
- The Honorable Christine Radogno, Minority Leader of the Illinois Senate
- The Honorable James Durkin, Minority Leader of the Illinois House of Representatives
- The Honorable State Senators & Reps whose districts include any portion of our area;
- Randy Blankenhorn, Secretary of the Illinois Department of Transportation

ADOPTED THIS 18th DAY OF JANUARY, 2017.



Mark Pietrowski, Jr.
DeKalb County Board Chairman

ATTEST:



Douglas J. Johnson
DeKalb County Clerk



STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

123rd Legislative Day

4/22/2016

Speaker Lang: "The House will be in order. Members will please be in their chairs. The House will be in order. We shall be led in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield. Members and guests are asked to refrain from starting their laptops, turn off cell phones, and rise for the invocation and Pledge of Allegiance. Pastor Crawford."

Pastor Crawford: "Let us pray. Most gracious and Almighty God, the source of all wisdom, the source of all life, we pray today Your blessings upon this august Assembly, upon the Speaker of this House, upon all of its Members, upon all of its families. We pray, God, as we come before Your great throne, we humble ourselves before You that we may reverence You. We pray, we ask for Your gracious and Your loving guidance. Teach us in all things to seek first Your honor and to seek first Your glory and to seek first Your direction. We pray that You would guide us to perceive what is right. Grant us the courage to pursue it, grant us the grace to accomplish it, that we would perform that which is good, that which is perfect in Your sight. We pray this in Your Son's name, Amen."

Speaker Lang: "Be led in the Pledge of Allegiance by Representative Wojcicki Jimenez."

Jimenez - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Lang: "Roll Call for Attendance. Leader Currie."

Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Acevedo, Chapa LaVia,

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Clerk, HJRCA36. Please read this Constitutional Amendment for a third time."

Clerk Hollman: "House Joint Resolution Constitutional Amendment #36 read for a third time at... in full, as amended.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 11 to Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 11. TRANSPORTATION FUNDS

- (a) No moneys, including bond proceeds, derived from taxes, fees, excises, or license taxes relating to registration, title, or operation or use of vehicles, or related to the use of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or to fuels used for propelling vehicles, or derived from taxes, fees, excises, or license taxes relating to any other transportation infrastructure or transportation operation, shall be expended for purposes other than as provided in subsections (b) and (c).
- (b) Transportation funds may be expended for the following: the costs of administering laws related to vehicles and transportation, including statutory refunds and adjustments provided in those laws; payment of highway obligations; costs for construction, reconstruction, maintenance, repair, and

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betterment of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation; and other statutory highway purposes. Transportation funds may also be expended for the State or local share of highway funds to match federal aid highway funds, and expenses of grade separation of highways and railroad crossings, including protection of at-grade highways and railroad crossings, and, with respect to local governments, other transportation purposes as authorized by law.

- (c) The costs of administering laws related to vehicles and transportation shall be limited to direct program expenses related to the following: the enforcement of traffic, railroad, and motor carrier laws; the safety of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports; and the construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways, under any related provisions of law or any purpose related or incident to, including grade separation of highways and railroad crossings. The limitations to the costs of administering laws related to vehicles and transportation under this subsection (c) shall also include direct program expenses related to workers' compensation claims for death or injury of employees of the State's transportation agency; the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway rights-of-way or for investigations to determine the reasonable anticipated future highway needs; and the making of surveys, plans, specifications, and

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estimates for the construction and maintenance of flight strips and highways. The expenses related to the construction and maintenance of flight strips and highways under this subsection (c) are for the purpose of providing access to military and naval reservations, defense-industries, defense-industry sites, and sources of raw materials, including the replacement of existing highways and highway connections shut off from general use at military and naval reservations, defense-industries, and defense-industry sites, or the purchase of rights-of-way.

- (d) None of the revenues described in subsection (a) of this Section shall, by transfer, offset, or otherwise, be diverted to any purpose other than those described in subsections (b) and (c) of this Section.
- (e) If the General Assembly appropriates funds for a mode of transportation not described in this Section, the General Assembly must provide for a dedicated source of funding.
- (f) Federal funds may be spent for any purposes authorized by federal law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was First Reading in... correction... Third Reading in full as amended of House Joint Resolution Constitutional Amendment #36."

Speaker Lang: "On the Order of Third Reading, HJRCA36, Mr. Phelps is recognized."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution Constitutional Amendment 36. I

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first want to say, I want to thank the road builders, the Chamber, IDOT, Representative Fortner, the Operators 150 and also I want to go back in time a little bit and thank our good friend, Bill Black. He brought this up many years ago and I think it's long overdue. This Constitutional Amendment will make sure that taxes collected from the motor fuel tax will only be used on transportation related projects only. Too many times we had funds that have been swept. This is undoubtedly going to make sure that that money is going to be used for projects in our transportation system. It's a jobs Bill and I just ask for its adoption."

Speaker Lang: "Mr. Sandack."

Sandack: "A few questions of the Sponsor, please?"

Speaker Lang: "Sponsor yields."

Sandack: "Representative, would this avoid any sweeps in the future if this question is approved by voters?"

Phelps: "That's exactly right."

Sandack: "And it would keep segregated sacrosanct tax dollars for improvements to the infrastructure... for infrastructure and infrastructure only?"

Phelps: "Absolutely."

Sandack: "Do you know of any opponents other than IDOT?"

Phelps: "I have none... and a matter of fact because we amended it the other day, Ron, they... they are totally fine."

Sandack: "So all opponents are off?"

Phelps: "All opponents are off."

Sandack: "Thank you for bringing this. Thank you for your diligence and hard work."

Phelps: "Thank you, Ron."

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Sandack: "I stand in strong support."

Phelps: "Thanks, Ron."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "Thank you, Mr. Speaker. Due to a possible conflict of interest, I will be voting 'present'."

Speaker Lang: "Thank you, Sir. Representative Flowers is recognized."

Flowers: "Thank you, Mr. Speaker. I would like to congratulate the Gentleman on this very important Resolution because it is about creating jobs. And I think downstate has done itself a disservice for such a long time because they were so busy building prisons and keeping people locked up. And as a result of this, instead of having bodies locked up, we will have the money locked in a box to create jobs and make the roads and bridges safe for everyone in the State of Illinois. And I commend you, Representative, for bringing forth this Resolution."

Speaker Lang: "Mr. Fortner."

Fortner: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Fortner: "Representative, first of all, thank you so much for bringing this Amendment forward. For the purposes of legislative intent, I would like to ask some questions, if that would be appropriate?"

Phelps: "Sure. And Representative, thank you for... 'cause I know you were one of the main Sponsors on this before, so thank you for your hard work on this as well."

Fortner: "Okay. So, first of all, in your introductory remarks you stated the Constitutional Amendment would not apply to

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moneys raised by state and local sales taxes on the sale of motor fuel. Is this correct?"

Phelps: "Yeah. It does not apply... does not apply to state and local taxes on the sale of motor fuel. But you are correct, the Constitutional Amendment is not intended to apply to moneys raised by state and local sales taxes on the sale of motor fuel. State sales tax moneys raised on the sale of motor fuel, for example, are deposited into GRF and not indicated for transportation purposes. I have discussed this matter with the Senate Sponsor of the Amendment as well as the Amendment's House cosponsors. We are in agreement that the Amendment is not intended to apply to state and local sales tax moneys on the sale of motor fuel."

Fortner: "Thank you very much for that. I read the language in the Constitutional Amendment, and I agree that the language used is ambiguous. Do you also view the language as ambiguous?"

Phelps: "Yes, I do, as do my colleagues, cosponsors of the Constitutional Amendment. Thank you for your questions to clarify this matter for purposes of legislative intent, Representative Fortner."

Fortner: "Next, you mentioned that motor fuels taxes in your introductory remarks and also in the answer to the previous question am I correct that the Constitutional Amendment also protects the current distribution of moneys raised from the State Motor Fuel Tax that are shared with local governments as well as transferred to the State Boating Fund Act, Grade Crossing Protection Fund, and Vehicle Inspection Fund?"

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Phelps: "Representative Fortner, yes, that is correct because the current distribution of moneys from the State Motor Fuel Tax are dedicated to transportation purposes only."

Fortner: "That's great. Representative Phelps, this leads me to my next question. What about the Regional Transportation Authority Sales Tax that is imposed in Cook and the collar counties and the Real Estate Transfer Tax in the City of Chicago that are dedicated to the Public Transportation Fund? Are those moneys protected by this Constitutional Amendment?"

Phelps: "Yes. Those moneys from the RTA sales tax and the City of Chicago's Real Estate tax... Transfer Tax are protected by the Constitutional Amendment that we have before us."

Fortner: "What about federal transportation funds that state and local governments receive, are those federal funds subject to this Constitutional Amendment?"

Phelps: "No. Federal funds are not covered by this Constitutional Amendment 'cause Federal Law controls what purposes those moneys may be spent on."

Fortner: "What about moneys today that are raised from specialty license plates for firefighters or veterans that are shared with charitable organizations? Would those moneys be able to be shared with a charitable organization under this Constitutional Amendment?"

Phelps: "Yes. Those moneys could continue to be shared with charitable organizations, so long as the full regular license plate fee is paid and used for transportation purposes only."

Fortner: "Just a few more clarifications. Would you agree that the moneys covered by this Constitutional Amendment could be

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spent on IDOT's operating expenses to administer public transportation programs?"

Phelps: "Yes. Transportation moneys could be spent on those activities based on subsection (b) of the Amendment which states that moneys may be spent on maintenance, operation, and administration of highways as well as costs associated with the enforcement of traffic, railroad, and motor carrier laws."

Fortner: "Okay. One last question. Would you also agree that moneys covered by this Constitutional Amendment could be spent on IDOT operating expenses relating to the administration of public transportation programs?"

Phelps: "Yeah and this was very important. I agree with you. Subsection (b) of the Constitutional Amendment states that transportation moneys can be spent on costs for the betterment of mass transit, intercity passenger rail and other forms of transportation, Representative Fortner."

Fortner: "Well, thank you, again, so much for those clarifications and making sure that we all understand what we're voting on. This Constitutional Amendment, I think, will be a welcome addition to our Illinois Constitution. For so long, people who have contributed moneys to the Road Fund in a way that had an expectation that their moneys were going to go to transportation purposes, whether it be maintaining our roads, building new infrastructure to promote transportation, and a variety of purposes related to keeping our transportation network strong. Illinois has its prominent place very much because of transportation. The connection between the Great Lakes and the Mississippi River, railroads and the highway

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system that bring so much of the nation's freight traveling through Illinois. I think this will only help our economy in the long run by getting the moneys directed to where they belong. Thank you. And I urge an 'aye' vote."

Speaker Lang: "Those in favor of the adoption of the Resolution will vote 'yes'; opposed 'no'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 98 voting 'yes', 4 voting 'no', 2 voting 'present'. And the Resolution is adopted. The Chair recognizes Mr. Phillips."

Phillips: "Mr. Speaker, personal privilege."

Speaker Lang: "Please proceed, Sir."

Phillips: "Please welcome with me my Page today, Jordan Easton. You want to stand up for us, please? This young man is a junior at Charleston High School and recently he's got interested in politics and wanted to see how Springfield works first-hand. So I thought this would be the best thing for him to come and just sit right here, especially, during this time period so he can see how wonderful it is. So he can make that decision whether he wants to: a) be a firefighter or b) actually get into politics. I think he's already made up his mind after the last few days; he's going to be a firefighter. Also his dad, Jamie, is in the... is in the balcony up here. Stand up Jamie, and want to welcome all them from Charleston, Illinois. Thank you very much."

Speaker Lang: "Thank you, Sir, and welcome both of you to the House chamber. Mr. Meier."



CITIZENS TO PROTECT TRANSPORTATION FUNDING

**2016 BALLOT
INITIATIVE CAMPAIGN**

ILLINOIS TRANSPORTATION FUNDING

OVER THE LAST 10 YEARS ALONE, \$6 billion has been swept from Illinois' Road Fund. Time and again, the Road Fund has served as Springfield's cash cow as legislators scramble to fill holes in the budget. They've milked it so much, they've put our economy and our safety at risk.

Illinois' infrastructure is crumbling. Over 4,200 Illinois bridges and half of Illinois roads are in poor condition. That puts Illinois families in danger of bridge collapses like we saw in Minnesota and Indiana. Aging infrastructure also puts a strain on the economy and makes it difficult for the state to retain and attract businesses.

The longer we go without repairing our roads, the more it will cost to fix them in the future.



THIS IS OUR OPPORTUNITY

THIS FALL, we have a chance to protect transportation funding once and for all. There will be a Constitutional Amendment on the ballot that would require all transportation-related revenue (e.g. motor fuel tax and vehicle registration fees) to be dedicated solely to public highways, roads, streets, bridges, and mass transit.

If the Amendment passes, transportation funding will be secured, and we will have the chance to make long overdue investments in our infrastructure.

If the Amendment fails, it will likely be decades – if ever – before such a measure will even be considered to be placed on the ballot again.

IN OTHER WORDS, WE'VE GOT ONE SHOT AT THIS, AND WE CAN'T WASTE IT.





OUR MESSAGE

Our polling shows a clear lane on messaging. We need to help voters make the connection between the transportation “lockbox” idea that they support and the initiative that will be on the ballot.

There are two messages that resonate strongly with voters:

1.



SAFETY

—○—

When transportation funding is raided, we risk bridge collapses like those that occurred in Minnesota and Indiana.

2.



**GOVERNMENT
WASTE**

—○—

For too long, Springfield has mismanaged the budget, and now we are paying the price.

WHERE WE STAND

We head into this campaign with very strong support, but we have a lot of work to do to solidify that support and overcome voter drop-off. Our polling shows that 85% of voters support the idea of a transportation lockbox. 75% want more funding for roads and bridges.

And our support is both broad and bipartisan. 64% of Democrats, 61% of Republicans, and 66% of Independents stand with us. We also win every region of the state and lead across key demographics.

The challenge is that the language which will ultimately appear on the ballot is peppered with legalese and is not as simple or as straightforward as we'd like, which opens the door for voter fall-off.

When voters hear language similar to what will be on the ballot, our support drops from 85% to 62%.

THIS MEANS WE HAVE TO LAUNCH A STRONG COMMUNICATIONS CAMPAIGN TO EDUCATE OUR SUPPORTERS AND ENSURE THEY STICK WITH US IN THE VOTING BOOTH.

85%

Of all voters support the idea of a transportation lockbox.

75%

Of all voters want more funding for roads and bridges.

64%

Democratic support.

61%

Republican support.

66%

Independent support.

LANGUAGE MATTERS



When ballot language is filled with legalese, support drops from 85% to 62%.

THE PROCESS

Passing a Constitutional Amendment is a tall order.
The Amendment can pass in two ways:

SCENARIO 1

Approval from a majority of
those voting in the election.

50% + 1 NEEDED



OF THOSE VOTING IN ELECTION

SCENARIO 2

Approval from 60% of those
voting on the Amendment.

60% NEEDED



OF THOSE VOTING ON THE AMENDMENT

THE PLAN

In general, ballot initiatives are tricky and voter fall-off tends to be high.

And our polling shows this is no different. As a result, we need to launch a strong, statewide media campaign to solidify our support.

Because of the complicated nature of this effort, it is imperative to begin communicating on this issue early. This is not something that can wait until two weeks before the election when the airwaves are cluttered.

Our team developed a plan that focuses on both television and digital advertising to extend the duration of our communication. The highlights:

2,500 points on Chicago broadcast over the course of seven weeks.

1,900 points on broadcast over six weeks in Champaign/Springfield, Peoria, and Rockford.

6 weeks of St. Louis cable - the more efficient alternative to broadcast, which spills over into Missouri.

6 weeks of broadcast in the Paducah market on WSIL, the ABC affiliate based in Illinois.

A statewide digital component beginning in July and continuing through the election.

- Digital can be a combination of pre-roll, Facebook, and display ads. We need people to see our message over and over again so that when they vote, they know how to vote and where it will appear.
 - The digital ads will link to the coalition's website that will provide further information, including the full language of the Amendment as it will appear on the ballot.
-

A stylized graphic of the state of Illinois in white, set against a blue background. A white road with a dashed blue center line curves across the bottom right of the state outline.

OUR PARTNERS

Citizens to Protect Transportation Funding is a statewide, bipartisan coalition made up of businesses and labor unions representing tens of thousands of Illinois families. We are committed to strengthening Illinois' infrastructure to help build a thriving economy in every region of the state.



**YOU
CAN
HELP**



Contributions Can Be Made Payable To:

**Citizens to Protect Transportation Funding
3000 N. Sheridan Road
Suite 18c
Chicago, IL 60657**

Contact information:
Jennifer Morrison
Chairman
(217) 572-1270

A14-9

A copy of our report filed with the State Board of Elections is (or will be) available on the Board's official website (www.elections.il.gov) or for purchase from the State Board of Elections, Springfield, Illinois.



Vote **YES** on the
Safe Roads Amendment

SafeRoadsAmendment.com

Safe Roads Amendment

For years, Illinois has underinvested in its roads, bridges and other critical infrastructure. That's put public safety at risk and cost us thousands of jobs. It's all because state government refuses to invest responsibly.

The Safe Roads Amendment is the solution.

It is critical to pass the Safe Roads Amendment:



SAFETY

Half of Illinois' roads and 4,200 of our bridges are in poor condition. It's unsafe and puts Illinois at risk for tragedies like the bridge collapses that occurred in Minnesota and Indiana. The danger is real, and it's unacceptable.



ACCOUNTABILITY

Our state of disrepair isn't because we lack money. It's because the politicians have used the Road Fund as a slush fund. Over the last decade, \$6.8 billion has been swept out of the Road Fund. Our roads and our safety shouldn't pay the price for Springfield dysfunction.



JOBS

Aging infrastructure hurts our economy, makes it more difficult to keep and grow jobs and is costing you money. Raiding transportation funding has cost Illinois nearly 5,000 jobs over the last decade and has increased the average motorist's costs by \$441 every year due to congestion and extra vehicle repairs.



Vote **YES**

Safe Roads Amendment

Safety. Accountability. Jobs.

For years, Illinois has underinvested in its roads, bridges and other critical infrastructure. That's put public safety at risk and cost us thousands of jobs. It's all because state government refuses to invest responsibly.

The Safe Roads Amendment is the solution. The Amendment constitutionally protects money collected for transportation so it is spent on transportation.

It is critical to pass the
Safe Roads Amendment:



SAFETY

Half of Illinois' roads and 4,200 of our bridges are in poor condition. It's unsafe and puts Illinois at risk for tragedies like the bridge collapses that occurred in Minnesota and Indiana. The danger is real, and it's unacceptable.



ACCOUNTABILITY

Our state of disrepair isn't because we lack money. It's because the politicians have used the Road Fund as a slush fund. Over the last decade, \$6.8 billion has been swept out of the Road Fund. Our roads and our safety shouldn't pay the price for Springfield dysfunction. It's time to hold state government accountable and ensure money collected for transportation is spent on transportation.



JOBS

Aging infrastructure isn't just unsafe. It hurts our economy, makes it more difficult to keep and grow jobs and is costing you money. Raiding transportation funding has cost Illinois nearly 5,000 jobs over the last decade and has increased the average motorist's costs by \$441 every year due to congestion and extra vehicle repairs.

You may have recently received this booklet in the mail.

PROPOSED AMENDMENT TO THE ILLINOIS CONSTITUTION

That will be submitted to the voters
November 8, 2016



This pamphlet includes
EXPLANATION OF THE PROPOSED AMENDMENT;
ARGUMENTS IN FAVOR OF THE AMENDMENT;
ARGUMENTS AGAINST THE AMENDMENT;
FORM OF BALLOT

Published as set forth in compliance with the Illinois Constitutional Amendment Act (5 ILCS 20)

Jesse White • Secretary of State

Dear Resident,

Official records indicate that over 3.77 million people in Illinois, who may be eligible, are not registered to vote and as many as 678 thousand people need to update their registration to reflect their current name and/or address. If you are a U.S. Citizen, a resident of Illinois, and will be 18 years old or older before the next general election in November, you are qualified to vote. You can check your current registration status, register to vote or update your existing registration online at: <http://register2016.elections.il.gov>.

So, what exactly does this proposed amendment to the Illinois Constitution mean?

The proposed amendment to the Illinois Constitution means

Safer roads with **NO NEW TAXES**

administering laws related to vehicles and transportation, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes, including the State or local share to match federal aid highway funds. You are asked to decide whether the proposed amendment should become part of the Illinois Constitution.

For the proposed amendment of Section 11 to Article IX of the Illinois Constitution.

YES

NO

By voting "Yes" on the Safe Roads Amendment, you agree to place Illinois' transportation money in a lock box to keep Illinois safe.

All transportation-related revenue will then be dedicated solely to public highways, roads, streets, bridges, and mass transit.

WHY IT'S NEEDED:

- ▶ 4,200 Illinois bridges are in "poor condition."
- ▶ 50% of Illinois roads are in "poor condition."
- ▶ \$6 billion dollars in roads money has been swept away in the last 10 years alone.

www.saferoadsamendment.com

PLEASE VOTE **YES** FOR THE SAFE ROADS AMENDMENT

Paid for by Citizens To Protect Transportation Funding.

A17-2

Illinois Safe Roads Constitutional Amendment

Vote YES

In the last 10 years alone, \$6 billion has been swept from Illinois' Road Fund.

This year, we have an opportunity to stop the sweeps and protect our transportation funding once and for all.

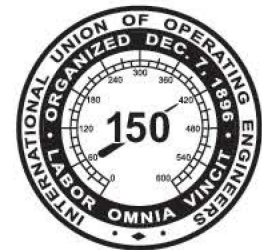
The Safe Roads Constitutional Amendment (“Lockbox” Amendment) is a proposed amendment to Illinois’ constitution to protect transportation funding. In the General Election on November 8, Illinois voters will be asked whether the proposed amendment should be added to the Illinois Constitution.

The “Lockbox” Amendment would require that funds raised through state or local motor fuel taxes, vehicle registrations, or title fees, and other user taxes, tolls and fees dedicated to public highways, roads, streets, bridges mass transit systems, ports or airports **may only be expended on transportation purposes.**

In other words, the Amendment prohibits the General Assembly from diverting, transferring, or using this money for non-transportation purposes.



**CITIZENS
TO PROTECT
TRANSPORTATION
FUNDING**



ILLINOIS' INFRASTRUCTURE IS CRUMBLING

Over 4,200 Illinois bridges
and half of Illinois roads
are in poor condition.

-American Society of Civil Engineers

YOU CAN HELP!

VOTE YES on the “Lockbox”
Amendment and tell everyone you
know to **VOTE YES** to stop the
transportation funding sweeps
and diversions.



GET THE FACTS

Safe Roads Constitutional Amendment



1) What is the Safe Roads Constitutional Amendment?

It is a proposed Amendment to the Illinois Constitution that will protect transportation funding. Illinoisans will be able to vote on the Amendment on the November 8th general election ballot.



2) How does the Safe Roads Constitutional Amendment protect transportation funding?

The Safe Roads Constitution Amendment requires that money taken in from transportation revenue sources be spent for transportation purposes. It *prohibits* the General Assembly or a unit of local government from using, diverting, or transferring moneys raised from these transportation revenue sources for non-transportation purposes.



3) Why is the Safe Roads Constitutional amendment needed?

Illinoisans pay motor fuel taxes, fees for vehicle registrations and license plates, and other transportation related taxes and fees with the expectation that these monies will be spent to maintain, repair, and build roads, highways, mass transit, and other transportation systems in their communities. Historically, the State and units of local government have diverted portions of monies raised from these revenue sources for other non-transportation purposes. Over the last decade, the state has diverted more than \$6 billion away from transportation projects that should have been spent on them.

Approval of this amendment will ensure that transportation funds are used only for transportation purposes.



4) What are "transportation purposes" under the Safe Roads Constitutional Amendment?

Under the proposed amendment, transportation funds may be used by the State or local governments *only* for the following purposes: (1) costs related to administering transportation and vehicle laws, including public safety purposes and the payment of obligations such as bonds; (2) the State or local share necessary to secure federal funds or for local government transportation purposes as authorized by law; (3) the construction, reconstruction, improvement, repair, maintenance, and operation of highways, mass transit, and railroad crossings; (4) expenses related to workers' compensation claims for death or injury of transportation agency employees; and (5) to purchase land for building highways or buildings for to be used for highway purposes.



5) Does the Safe Roads Constitutional Amendment apply to revenues derived from State or Local sales taxes on motor fuel?

No, the proposed amendment does not apply to State or local sales taxes on the sale of motor fuel. The reason being that State and local sales taxes are not taxes specific to motor fuel, but rather apply to other items consumers purchase.



6) Does the Safe Roads Constitutional Amendment allow the Illinois Secretary of State and Illinois Department of Transportation to continue to spend transportation funds for expenses on programs they administer that are directly dedicated to the safety of State roads and other transportation systems?

Yes, so long as those funds are used for transportation purposes.



7) Does the Safe Roads Constitutional Amendment allow the Illinois State Police to continue to spend transportation funds on operating costs that are directly dedicated to the safety of State roads and other transportation systems?

Yes, so long as those funds are used for transportation purposes.



8) Does the Safe Roads Constitutional Amendment allow units of local government to continue to spend transportation funds on expenses and operating costs for programs they administer that are directly dedicated to the safety of local roads and other transportation systems?

Yes, so long as those funds are used for transportation purposes.



9) What is the actual question that Illinois voters will see on the ballot at the November General Election?

Illinois voters will be asked whether to vote "Yes" to the following question:

The proposed amendment adds a new section to the Revenue Article of the Illinois Constitution. The proposed amendment provides that no moneys derived from taxes, fees, excises, or license taxes, relating to registration, titles, operation, or use of vehicles or public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports, or motor fuels, including bond proceeds, shall be expended for other than costs of administering laws related to vehicles and transportation, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes, including the State or local share to match federal aid highway funds. You are asked to decide whether the proposed amendment should become part of the Illinois Constitution.



10) How does the proposed constitutional amendment protect and affect local government funds?

While most of the state level diversions of transportation funds have affected state monies, local motor fuel tax formula funds were also diverted as recently as FY 2015. This proposed amendment would prohibit future diversions of local MFT formula funds for non-transportation purposes.



11) Are proceeds from state tollways included?

Yes, the Amendment would apply to the Illinois toll highway system. Tolls paid by tollway users qualify as "transportation funds" under the Amendment and could only be spent for transportation purposes as defined by the Amendment. The Amendment sets forth a list of permitted transportation purposes. One such purpose is the expenditure of transportation funds for highway construction, maintenance, repair as well as for debt service on bonds issued for highway projects.



12) Is the bill's language proscriptive? Is the list of sources just a kitchen sink of where the money could potentially come from, or will that be set in stone if it passes?

As a constitutional limitation, the Amendment is "proscriptive" in that transportation funds can only be spent by the State and units of local government for permitted transportation purposes. The revenue sources protected by the Amendment as "transportation funds" are not fixed or static. Moneys generated from a brand new tax or fee on the privilege of owning an electric car, for example, would qualify as "transportation funds" and could only be spend for transportation purposes.

13) Is there a pot of money that is specifically called the "road fund" or "roads fund" ? Where does that money come from? What are the sources?

At the State level, moneys raised from transportation sources (e.g. motor fuel taxes and vehicle title and registration fees) are largely deposited into the Road Fund and State Construction Fund to pay for construction projects and debt service on bonds issued for previous construction projects. These monies are distributed under a formula to local governments. The Amendment protects these revenues and limits their expenditure to transportation purposes. Local governments also impose their own separate taxes or fees on motor fuel, boat mooring, ground transportation, vehicle leasing, tires, parking, and vehicle titles, among others. The revenue from



these locally imposed taxes and fees would also qualify as "transportation funds" and be subject to the Amendment's limitations.



Benefits of transportation lockbox amendment hard to assess

By Doug Finke

The State Journal-Register

Posted Mar 25, 2018 at 4:45 PM

Updated Mar 26, 2018 at 1:36 PM

In 2016, Illinois voters reached a rare, overwhelming agreement on a public policy issue.

They said they were tired of having gasoline tax money and related fees and taxes used to pay for other state expenses. They said it very loudly. A constitutional amendment — the Safe Roads Amendment — to provide a sort of lockbox for transportation funds got nearly 80 percent approval from voters. It needed only 60 percent to be added to the state Constitution.

More than a year after the amendment went into effect, even proponents are trying to weigh its impact

“We’re still evaluating,” said Mike Sturino, president and CEO of the Illinois Road and Transportation Builders Association. “We’re continuing to review all of the units of government, including the state of Illinois, to ensure compliance ”

That’s an important distinction to make about the amendment. State government has been widely criticized for using gasoline taxes to prop up other parts of the state budget instead of funneling all of the revenue to actual road and bridge construction projects. The amendment, though, applies to taxes and fees levied at the local level, too.

“There have been reports of units of government that have been tempted to divert transportation revenues to non-transportation purposes,” Sturino said. “We’ve reminded them of the constitutional amendment and that’s generally worked.”

However, the road builders association, along with 10 other construction and engineering groups involved in road building, filed a lawsuit earlier this month against Cook County government contending the county diverted \$250 million in transportation taxes to other expenses. The lawsuit says this is being done in violation of the amendment.

Laurence Msall, president of the Civic Federation, a watchdog over government finances, said the Cook County lawsuit is most obvious effect of the amendment so far.

“It’s the first test case that we’ve seen, but we would expect that there would be more to come, because the language in the constitutional amendment is not very clear,” he said

The amendment doesn’t specify that gasoline taxes, say, can only be used to build roads and bridges used by cars and trucks. Rather, it says taxes and fees generated from transportation related sources — whether the motor fuel tax or vehicle title fees or similar things — must be used for transportation-related purposes.

That can cover a variety of things. Sturino agrees that salaries for Illinois Department of Transportation employees can be paid with those taxes and fees and still meet the requirements of the amendment. Just how broadly the amendment can be interpreted will ultimately have to be determined by the courts, Msall said.

“Ultimately, the Illinois Supreme Court will have the final say about what is allowed,” he said.

It’s also difficult to pinpoint a direct benefit to state road construction from having the amendment in place

“The Civic Federation expressed concern before the amendment was passed, it was oftentimes oversold as to what problem it would correct,” Msall said. “Some of the proponents of the amendment claimed that it would free up such a large amount of money that was being diverted that gas taxes and other fees would never have to be raised again and we’d be able to maintain our roads ”

On the contrary, there are occasionally calls for the state to raise gasoline taxes or other revenue sources to ensure the state just keeps up with needed road and bridge maintenance. IDOT officials have said the state needs an additional \$1.5 billion annually to maintain roads adequately.

Msall said the “most aggressive analysis” of the amendment is that it might free up \$500 million. A more reasonable estimate, he said, is in the range of \$150 million to \$200 million.

The state’s road fund has often presented a tempting target for lawmakers who needed a quick way to balance the budget. When a \$1.6 billion budget hole had to be plugged in the spring of 2015, lawmakers took \$250 million out of the road fund to help do it. The state then went two years without a budget, during which time the amendment passed, putting a chunk of money off limits.

Except, Sturino noted, lawmakers found a way around it. Previously, he said, about \$300 million in transit costs were paid out of general tax money. In the current budget, that \$300 million is being financed with transportation taxes, freeing up that amount of general tax money for other uses.

Sturino said his organization is still reviewing state budget proposals to determine how transportation revenue is being utilized.

For lawmakers responsible for crafting a state budget, the amendment has not added to their difficulties.

“It will be a factor in some areas. I think there are a few minor areas where things are being sorted out,” said Rep. Greg Harris, D-Chicago, a principal House budget negotiator. “I don’t think there’s anything we’re surprised by so far.”

He said the main thing will be ensuring that certain expenses qualify as transportation-related costs to ensure they comply with the amendment.

Sen. Andy Manar, D-Bunker Hill, said he hasn’t seen evidence that the amendment has created problems balancing the budget.

“The point of that amendment was to exert discipline on state government,” he said.

Contact Doug Finke: doug.finke@sj-r.com, 788-1527, twitter.com/dougfinkesjr.



Opinion

Letter: 'Lockbox' amendment is bad policy

Posted Oct 22, 2016 at 8:00 PM

On Nov. 8, the Illinois electorate will be asked to vote on a proposed amendment to our state's constitution. Commonly called the Lockbox Amendment, the law would put any revenues generated by transportation-related activities in a figurative lockbox and prohibit the state and its local governments from using these funds for other purposes.

Keeping Illinois roads, highways and bridges in safe working order is a reasonable, important objective. However, it is a goal that can and should be accomplished through a solution to the state's underlying financial crisis, not through the extraordinary step of amending the state constitution.

Illinois has gone more than 15 months without a comprehensive, balanced budget. The state is on track this year to spend billions of dollars more than it has available, while only partially funding many core areas of government such as higher education and social services. It makes little public policy sense to hamstring lawmakers, given this fiscal reality. Further, to imply that transportation should be a priority by default over critical services like health care, education or those for the elderly, poor or developmentally disabled is objectionable.

The amendment will also disrupt many of Illinois' distressed local governments that use their vehicle sticker and other fees to fund general operations salaries, programming, equipment and the like. The state should not tie the hands of municipalities to achieve a goal that is focused on state spending

Instead, residents thinking about voting for the amendment should demand that lawmakers formulate a realistic multi-year plan to balance the budget and put Illinois back on sound financial footing. It will be painful, and it will require compromise and shared sacrifice. But it is a much more equitable and sustainable solution than irrevocably committing the State of Illinois to one exclusive spending priority.

Andy Shaw
Better Government Association

Laurence Msall
Civic Federation

Evelyn Diaz
Heartland Alliance

Judith Gethner
Illinois Partners for Human Service

John Bouman
Shriver Center

Carol Portman
Taxpayers Federation of Illinois

https://herald-review.com/news/local/govt-and-politics/transportation-lockbox-amendment-would-affect-local-spending/article_c5533e84-17ce-5ce6-b676-1305d3effb66.html

EDITOR' PICK

Transportation 'lockbox' amendment would affect local spending

DAN PETRELLA

Oct 25, 2016



From left, equipment operator Jordan Peck, service worker Nick Harner, service worker Cody Hiser and equipment operator Eric Mendenhall repair a patch of concrete on Monroe Street near the Hay Street intersection in this July 15 file photo.

Jim Bowling, Herald & Review

DAN PETRELLA

A22-1

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 just apply to the state. Local governments also would be restricted in how they could use revenue collected 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 continue to do that.”

Resolving that question could result in lawsuits that would likely have to 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.

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- 3 **Why are the emergency crews at Decatur Airport?**

Executive Director Brad Cole said the group's board heard a presentation at recent meeting from Citizens to Protect Transportation Funding, a coalition primarily composed of road builders and labor unions that's backing what it calls the “Safe Roads Amendment.”

A22-2

“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, has also 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.

Mike Sturino, president and CEO of the 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 units of government in Illinois.

“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.”

By DAN PETRELLA

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EDITORIAL EDITORIALS OPINION

Vote No: Bulldoze Illinois' diabolical 'Safe Roads Amendment'

FEEDBACK

By THE EDITORIAL BOARD
EP 06 2016 AT 5 00 AM



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A23-1



The Illinois Safe Roads Amendment would favor road-builders and unions that donate big to politicians. (Seth Perlman / AP)

FEEDBACK



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04:13 

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No, little voter, you cannot term limit the Illinois lawmakers who've ruined this state's finances; the politicians don't want that. Nor can you stop legislative leaders from gerrymandering their members' district maps; the Illinois Supreme Court says that injustice is OK. But if the pols of both parties won't let you do something good for you, they will let you do something good for them and their friends:

They want you to enshrine in the Illinois Constitution a perpetual payday for their loyal donors in road building and organized labor. You could say they've all got this thing this proposed amendment and for them it's ... golden!

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A23-2



Replay

The stated aim of the amendment — it'll be on your Nov. 8 ballot — is to prevent state and local governments from using transportation revenue for non-transportation purposes. Sounds fine, to a point. But the diabolical effect is that contractors, and the unions whose members they employ, would have *constitutionally guaranteed dibs* on future billions of state and local revenue dollars.

FEEDBACK



EDITORIAL:

Remap: Illinois reformers can keep losing to the Democratic machine. Or ...

SEP 02 2016 AT 2 08 PM

That is, they'd have dibs on tax collections so that some future Illinois — an Illinois where finances are even more disastrous than today's — couldn't circumvent this amendment even in a natural catastrophe or other crisis. This amendment would, for example, wall off road dollars from any emergency uses for basic human needs. You've seen how rigidly the constitution's pension protection clause forbids public pension reforms? Well, the pavement

protection clause would be just as rigid.

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A23-3

Budgeting for bridges doesn't belong in a constitution. It's a key but routine goal that governors, members of the General Assembly and local governing bodies can enforce on their own — without making the Illinois Constitution a playpen for some *verrry* special interests.

You'll hear lots about this proposal via the advertising its supporters are lavishly funding. And you can tell from all their public-relations sweet talk just how frantic they are to perfume this pig:

FEEDBACK

The legislators who voted to put this on the ballot — that is, the overwhelming majority of Republicans and Democrats — should have called it "The Illinois Crony Protection Amendment of 2016." Instead they came up with "Safe Roads Constitutional Amendment." Are the backers accurately labeled "Contractors and Unions Determined to Get Ours First"? No, instead they're the noble-sounding "Citizens to Protect Transportation Funding." And is their motto the brutally honest "We got this sucker on the ballot because we own the Capitol"? No, they're crooning the almost patriotic "Put Illinois' Transportation Money in a Lock Box (sic) and Keep Illinois Safe."

Gosh, who opposes keeping Illinois safe? Who wants *dangerous* roads? Nobody. But that's no excuse for cluttering up a constitution that has to serve not only today's priorities but future priorities that may be very different.

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A23-4



COMMENTARY:

Voters, take back your state

AUG 26, 2016 AT 1:43 PM

The backers complain that transportation revenue at times has been diverted to other purposes. Yes, but only because the elected representatives of the people decided that was necessary. Or, at least as likely, because they have no self-control overspending. And the only way to bring discipline to Illinois governments is to chisel it into the constitution?



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This amendment was so well-greased in Springfield that some politicians think it's sure to succeed. But it requires 60 percent support to pass, so there's a chance other groups that rely on sparse state dollars will be able kill it — maybe educators, human services providers, groups that fight for disadvantaged citizens or university officials who someday may need emergency funding.

If for no other reason, all of us should vote against this amendment because of the legislators' self-serving behavior:

Lawmakers won't put on the ballot an amendment to reform redistricting. They won't impose term limits on themselves. Yet they'll happily stick on the ballot an

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A23-5

Here's a better idea: Let's not stop with transportation. Let's put *every* dollar of state spending into the Illinois Constitution and then eliminate all 177 legislators. Once we've perpetually frozen budgeting into an amendment, we won't need them.

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A23-6



Editors' Picks | 13 intriguing people of 2016



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October 22, 2016

Why you should vote 'no' on the Safe Roads Amendment



GREG HINZ ON POLITICS



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Is building a highway more important than sheltering a homeless person, treating someone who needs medical help or hiring a public school teacher?

Should your town or village be able to raise taxes for needed programs in the way residents want without Springfield special interests sticking their nose into it?

Are automobiles more valuable in creating jobs than public transit, carpooling, bike lanes and other modes of commuting?

A24-1



Photo by Bloomberg

Advanced Asphalt workers pave a state highway in Streator. On Nov. 8, Illinois voters will be asked whether they support an amendment to the state constitution that would block lawmakers from using transportation funds for anything other than the stated purpose.

They don't ask those questions in the **big-bucks TV ads** that Citizens to Protect Transportation is running this campaign season. Instead, the spots suggest that taxes you wanted to go to new and improved roads instead are being "raid(ed)" by lawmakers "for their pet projects," and that the only way to prevent crumbling roads and bridges from collapsing is to put all of the money into a lockbox by voting for the Safe Roads Amendment that's on the Nov. 8 ballot.

Take a good look under the hood before buying this car, folks. Some powerful insiders who want to fatten their pocketbooks are the ones behind this campaign, and much of the dough they're using to make their point comes from **unidentified "dark money" sources**.

Here's the story.

Illinois imposes a variety of taxes and fees on autos, driver's licenses, motor fuel, etc. So do many cities, such as Chicago, which makes residents buy vehicle stickers. Proceeds are generally supposed to pay for the upkeep of roads and, occasionally, public transit and other modes of transportation. And, for the most part, that is where the money goes.

But on occasion, like amid Illinois' budget crisis, the money gets directed to other needs such as social services and schools. How much is in question. Citizens to Protect Transportation sets the figure at \$6.8 billion since fiscal 2002. The Civic Federation **did its own analysis** and came up with \$519 million for that period once "road fund" expenditures for things such as state police salaries and pensions were excluded.

The state clearly has unmet needs for infrastructure work, as I've reported numerous times. And construction groups want every penny they can get. So the International Union of Operating Engineers, Illinois Road Builders and Illinois Asphalt Pavement Association (convicted insider Bill Cellini's old group) talked lawmakers into putting a binding referendum on the proposed amendment on the ballot. Then they contributed millions of dollars toward its passage.

The biggest chunk, \$1 million, comes from something called the Fight Back Fund. It's one of those groups that doesn't disclose its donors, but it's affiliated with the operating engineers.

The union's Marc Poulos, who heads the Fight Back Fund, says the amendment merely would require that money raised for transportation go toward transportation. Some groups like the Metropolitan Planning Council agree.

But according to Chicago Budget Director Alex Holt, the city might lose discretion over at least \$250 million a year in local taxes—not counting the \$49 million it gets annually in state gas taxes. (Poulos confirms that's the case.) That money gets used for many things, including libraries, she says. At the same time, it's not certain that expenditures for snow removal, streetlights and other items would be eligible under **the proposed amendment**.

"The language just isn't clear," Holt says.

The folks at the Chicago Metropolitan Agency for Planning raise other concerns. Though Wisconsin and other states have adopted "lockbox" amendments in recent years, the Illinois version fails to specify planning as a qualified cost, gives little attention to increasingly important intermodal transportation and makes roadwork a higher priority over transit work, according to the agency. It's also unclear how passage would affect state capital bond issues that depend on various revenue streams.

A few decades ago, with good intentions, Illinois added a restrictive spending section to its constitution. It's known as the pension clause, and, largely thanks to it, paying workers excessive retirement benefits now is a higher priority than schools, health care, law enforcement and other needs.

The Safe Roads Amendment is the pension clause on steroids. Vote "no."

[Chicago Metropolitan Agency for Planning](#)

[Metropolitan Planning Council](#)

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COLUMNS & OPINION | ON TRANSPORTATION

November 02, 2016

Passing the Safe Roads Amendment could have unintended consequences

Putting transportation revenue in a "lockbox" could make it harder to fund future travel modes.

By John Greenfield [@greenfieldjohn](#)

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The "lockbox" amendment would reserve money from gas taxes and the like exclusively for road repairs and other transportation needs.

SCOTT OLSON/GETTY IMAGES

One of the TV ads put out to promote the Safe Roads Amendment is downright terrifying.

One "Thousands of bridges crumbling," says the ominous-sounding narrator over grim footage of crumbling viaducts and potholed streets. "Roads in dangerous disrepair. We already pay to make them safe, but year after year Springfield raids the road fund for their pet projects." On the screen is a horrific image of the 2007 Minneapolis Interstate 35W bridge collapse, which killed 13 people and injured 145. "It's not a matter of if disaster will strike," the narrator warns gloomily, "but when."

A25-1

The proposed amendment to the Illinois Constitution, which will be on the November 8 ballot, would require that all funds collected through gas taxes, tolls, driver's license fees, and city stickers be captured in a "lockbox" to prevent them from being used for nontransportation purposes. The ballot question asks citizens if they support earmarking this revenue for "administering laws related to vehicles and transportation, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes."

It's no surprise that the binding referendum, which will pass only if 60 percent of voters support it, is mainly backed by the road-building industry, organized labor, and other entities that stand to profit if more money is funneled toward highway construction. The lobbying group Citizens to Protect Transportation Funding has raised \$3.7 million in support of the measure—including \$1 million from the Fight Back Fund, a political advocacy group headed by labor leader Marc Poulos that isn't required to disclose its donors—and has already purchased some \$1 million worth of TV ads.

Both the Tribune and the Sun-Times have urged readers to vote no on the measure, arguing that the campaign is fueled by cronyism, and that politicians shouldn't need a constitutional amendment to force them into fiscal discipline. In September the Tribune ran an editorial blasting the amendment as "diabolical," asserting that it would serve as a gravy train for the contractors and unions who make campaign donations to politicians.

"Nobody would be talking about lockboxes if our pathetic Legislature and governor would only come to terms on a new state budget that responsibly balances spending and revenue overall," read a May Sun-Times editorial. "No one doubts that transportation projects are in a sorry state in Illinois. . . . But the solution is a budget, not a shell game."

The Tribune also argued that it would be bad to eliminate the option of using transportation money for other needs in case of real funding emergencies. Wisconsin, Maryland, and California, the three other states that have passed similar amendments, included a "safety valve" that eases the restriction in the event of a natural disaster or financial crisis.

On the other side, Chicago's three most prominent sustainable-transportation advocacy groups have previously endorsed the amendment, although one of them has since reversed its position. (More on that in a minute.) The Metropolitan Planning Council is one of the referendum's official supporters, and the Active Transportation Alliance and the Center for Neighborhood Technology previously voiced their approval. They've argued that the

lockbox would help grow the overall state transportation budget, including the relatively small portion that goes toward public transit, walking, and biking projects.

"The lockbox is one part of solving Illinois' transportation investment needs," said MPC spokeswoman Mandy Burrell in a statement. "Our [transportation infrastructure is] suffering from a chronic lack of investment." The civic group projects that an additional \$43 billion is needed over the next ten years to get our state's transportation infrastructure in good shape again, and Burrell argued that the amendment would help bolster political support for new revenue sources for the purpose, such as a hike in the state gas tax, which has been stuck at 19 cents a gallon since 1991. "We need to ensure people that the money they pay in transportation user fees will actually support transportation," she said.

“When the Illinois constitution was approved [in 1970], there were no such devices as cell phones, electric or autonomous cars, nor even Segway. How can we in the first quarter of the 21st Century anticipate the transportation modes over the horizon?”

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—JACKY GRIMSHAW, THE CENTER FOR NEIGHBORHOOD TECHNOLOGY

In September, after discussing the amendment with the three advocacy groups, I wrote a rebuttal to the Trib piece on Streetsblog, calling the lockbox amendment a “necessity.” But after taking a closer look at the proposal's language, as well as reading arguments from other organizations and progressive commentators, I realized I may have jumped to conclusions about the issue. It looks like enshrining this funding policy in the constitution could have some unintended negative consequences for Illinois's future fiscal needs, among other things.

As my Streetsblog colleague Steven Vance pointed out in a subsequent opinion piece, some of the arguments made by Citizens are inaccurate or misleading. The group claims that \$6.8 billion in transportation funding has been used for other needs since 2002. However, the Civic Federation, a bipartisan watchdog group, did an independent analysis and found that the number is actually \$519 million when you account for nondirect spending related to road construction, such as salaries for Illinois Department of Transportation employees and debt payment on bonds used to pay for the construction.

The federation also argued that requiring transportation-related revenue to be spent only on transportation projects could put more strain on state and local budgets, which could mean cuts to education and human services, and/or higher taxes.

In addition, although the Chicago Metropolitan Agency for Planning hasn't officially opposed the amendment, last month the agency issued a memorandum that detailed several reservations about the proposal. CMAP noted that the language doesn't specify that statewide and regional transportation planning is eligible for transportation funding. CMAP also noted that the amendment prioritizes highway work over public transportation, and doesn't mention walking or biking at all. (Presumably the phrase "other forms of transportation" in the ballot question includes these modes, but that's not a sure thing.)

Crain's Chicago Business columnist Greg Hinz, a sustainable transportation booster, also cautioned against voting for the amendment in a recent op-ed. He quoted Chicago budget director Alex Holt as having concerns that the city might lose control over some \$250 million annually in local taxes, plus another \$49 million a year from state gas taxes. This money is used for many civic needs, such as libraries. It's also unclear whether the lockbox money could be used for snowplowing, streetlights, and other items not explicitly mentioned in the initiative.

When I ran these arguments by Active Trans director Ron Burke last week, he responded that the amendment aligns with his group's mission by significantly increasing state funding for walking, biking, and transit at a time when cuts are a very real threat. In early 2015 Governor Bruce Rauner proposed slashing one-third of state funding for CTA, Metra, and Pace, although, partly due to pushback from Active Trans and other advocates, the cuts haven't gone through. The lockbox would make this kind of doomsday scenario less likely, Burke argued.

He says he's not worried that walking and biking projects won't be eligible for funding under the amendment.

"We will have to fight for our share of the pie, as we do today, [but] the pie will get bigger—and that is key," Burke says.

However, Burke did acknowledge that Active Trans has been unhappy with how car-centric the branding and advertising for the lockbox campaign has been—the logo for the initiative is a shield from an interstate sign with a checkmark in it. "We knew that they prioritize roads," he says, "and this is another example of that."

Likely as a result of Active Trans' nudging, another Citizens ad features a guy riding a bike (albeit with his messenger bag on backward). The group has also tweeted messages stating that the

amendment will protect funding for transit, walking, and biking, as well as driving.

Back in September, Center for Neighborhood Technology vice president for policy Jacky Grimshaw told me the lockbox was necessary to keep Springfield from diverting scarce transportation funds to other needs like colleges and day care. "The General Assembly should address funding those needs . . . not rob transportation dollars to fund them," she said at the time.

But after I asked about the opposing arguments last week, Grimshaw told me she has changed her mind.

"After actually reading the amendment and considering not only some of the issues you cite, but also the denial of transportation funding [for Illinois Department of Natural Resources research on alternative energy], I've concluded that this amendment is a bad idea."

Last Friday Grimshaw laid out her new position in a blog post. "Ordinarily constitutional amendments emerge out of a broad civic discussion where their impacts can be evaluated from many perspectives and the wording revised to achieve the intended objective," she wrote. "Not this amendment. It was developed behind closed doors and released fully developed—along with an advertising campaign. Indeed, it could be called a 'stealth amendment.'"

"And there is the future [to consider]," she noted. "When the Illinois constitution was approved [in 1970], there were no such devices as cell phones, electric or autonomous cars, nor even Segway. How can we in the first quarter of the 21st century anticipate the transportation modes over the horizon? It is uncertain if this amendment would allow for funding support."

So what should we do at the voting booth next Tuesday? While there are compelling arguments on both sides, I'm probably going to vote no. The road-building lobby's gusto for tying lawmakers' hands on funding decisions reminds me too much of Richard M. Daley's disastrous 2008 parking meter privatization deal, with its many unanticipated consequences. I'm thinking it's better to be safe than sorry. 📧

John Greenfield edits the transportation news website Streetsblog Chicago.

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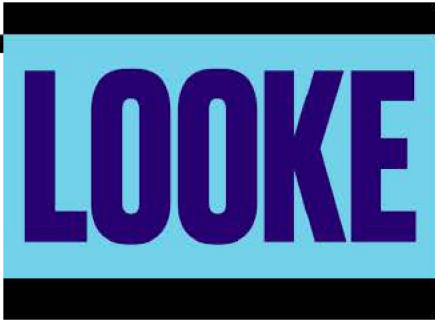
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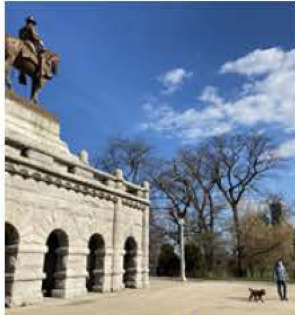
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To the Electors of the State of Illinois:

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Proposed changes in the existing constitutional amendment are indicated by underscoring all new matter and by crossing with a line all matter which is to be deleted.

**PROPOSED AMENDMENT
TO ADD SECTION 11 TO ARTICLE IX
OF THE ILLINOIS CONSTITUTION**

ARTICLE IX – REVENUE

SECTION 11. TRANSPORTATION FUNDS

(a) No moneys, including bond proceeds, derived from taxes, fees, excises, or license taxes relating to registration, title, or operation or use of vehicles, or related to the use of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or to fuels used for propelling vehicles, or derived from taxes, fees, excises, or license taxes relating to any other transportation infrastructure or transportation operation, shall be expended for purposes other than as provided in subsections (b) and (c).

(b) Transportation funds may be expended for the following: the costs of administering laws related to vehicles and transportation, including statutory refunds and adjustments provided in those laws; payment of highway obligations; costs for construction, reconstruction, maintenance, repair, and betterment of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation; and other statutory highway purposes. Transportation funds may also be expended for the State or local share of highway funds to match federal aid highway funds, and expenses of grade separation of highways and railroad crossings, including protection of at-grade highways and railroad crossings, and, with respect to local governments, other transportation purposes as authorized by law.

(c) The costs of administering laws related to vehicles and transportation shall be limited to direct program expenses related to the following: the enforcement of traffic, railroad, and motor carrier laws; the safety of highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports; and the construction, reconstruction,

improvement, repair, maintenance, operation, and administration of highways, under any related provisions of law or any purpose related or incident to, including grade separation of highways and railroad crossings. The limitations to the costs of administering laws related to vehicles and transportation under this subsection (c) shall also include direct program expenses related to workers' compensation claims for death or injury of employees of the State's transportation agency; the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway rights-of-way or for investigations to determine the reasonable anticipated future highway needs; and the making of surveys, plans, specifications, and estimates for the construction and maintenance of flight strips and highways. The expenses related to the construction and maintenance of flight strips and highways under this subsection (c) are for the purpose of providing access to military and naval reservations, defense-industries, defense-industry sites, and sources of raw materials, including the replacement of existing highways and highway connections shut off from general use at military and naval reservations, defense-industries, and defense-industry sites, or the purchase of rights-of-way.

(d) None of the revenues described in subsection (a) of this Section shall, by transfer, offset, or otherwise, be diverted to any purpose other than those described in subsections (b) and (c) of this Section.

(e) If the General Assembly appropriates funds for a mode of transportation not described in this Section, the General Assembly must provide for a dedicated source of funding.

(f) Federal funds may be spent for any purposes authorized by federal law.

EXPLANATION

The proposed amendment adds a new Section to the Revenue Article of the Illinois Constitution that provides revenue generated from transportation related taxes and fees (referred to as "transportation funds") shall be used exclusively for transportation related purposes. Transportation related taxes and fees include motor fuel taxes, vehicle registration fees, and other taxes and user fees dedicated to public highways, roads, streets, bridges, mass transit (buses and rail), ports, or airports.

Under the proposed amendment, transportation funds may be used by the State or local governments only for the following purposes: (1) costs related to administering transportation and vehicle laws, including public safety purposes and the payment of obligations such as bonds; (2) the State or local share necessary to secure federal funds or for local government transportation purposes as authorized by law; (3) the construction, reconstruction, improvement, repair, maintenance, and operation of highways, mass transit, and railroad crossings; (4) expenses related to workers' compensation claims for death or injury of transportation agency employees; and (5) to purchase land for building highways or buildings for to be used for highway purposes.

This new Section is a limitation on the power of the General Assembly or a unit of local government to use, divert, or transfer transportation funds for a purpose other than transportation. It does not, and is not intended to, impact or change the way in which the State and local governments use sales taxes, including the sales and excise tax on motor fuel, or alter home rule powers granted under this Constitution. It does not seek to change the way in which the State funds programs administered by the Illinois Secretary of State, Illinois Department of Transportation, and operations by the Illinois State Police directly dedicated to the safety of roads, or entities or programs funded by units of local government. Further, the Section does not impact the expenditure of federal funds, which may be spent for any purpose authorized by federal law.

FORM OF BALLOT

Proposed Amendment to the 1970 Illinois Constitution

Explanation of Amendment

The proposed amendment adds a new section to the Revenue Article of the Illinois Constitution. The proposed amendment provides that no moneys derived from taxes, fees, excises, or license taxes, relating to registration, titles, operation, or use of vehicles or public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports, or motor fuels, including bond proceeds, shall be expended for other than costs of administering laws related to vehicles and transportation, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes, including the State or local share to match federal aid highway funds. You are asked to decide whether the proposed amendment should become part of the Illinois Constitution.

YES	For the proposed addition
—	of Section 11 to Article IX
NO	of the Illinois Constitution.

This voter information material is available in written format in English, Chinese, Hindi, Polish, Spanish, and Braille. It is also available in audio format in English. For more information visit www.cyberdriveillinois.com or write the Secretary of State's office at 111 East Monroe Street, Springfield, IL 62756.

Este material de información para el votante está disponible en formato impreso en inglés, chino, hindi, polaco, español y sistema Braille. También está disponible en formato de audio en inglés. Para obtener más información, visite www.cyberdriveillinois.com o escriba a la oficina del Secretario de Estado en 111 East Monroe Street, Springfield, IL 62756.

此投票信息资料提供英语、中文、北印度语、波兰语、西班牙语书面版本，另有盲文版本。同时还有英语音频版本。如需更多信息，请访问 www.cyberdriveillinois.com，亦可致函州务卿办公室，地址：伊利诺伊州斯普林菲尔德市东门罗街 111 号，邮编 62756（111 East Monroe Street, Springfield, IL 62756）。

यह मतदाता सूचना अंग्रेजी, चीनी, हिंदी, पॉलिश, स्पैनिश तथा ब्रेल लिपि में लिखित स्वरूप में उपलब्ध है। यह अंग्रेजी में ऑडियो स्वरूप में भी उपलब्ध है। अधिक जानकारी के लिए www.cyberdriveillinois.com पर जाएँ अथवा राज्य सचिव के कार्यालय को 111 ईस्ट मनरो स्ट्रीट, स्प्रिंगफील्ड, इलिनॉयस 62756 पर लिखें।

Ten materiał informacyjny dla wyborców jest dostępny w formie pisemnej w języku angielskim, chińskim, hindi, polskim, hiszpańskim oraz alfabecie Braille'a. Jest on również dostępny w formacie audio w języku angielskim. Aby uzyskać więcej informacji należy odwiedzić stronę internetową www.cyberdriveillinois.com lub napisać do biura Sekretarza Stanu przy 111 East Monroe Street, Springfield, IL 62756.

PROPOSED AMENDMENT TO THE ILLINOIS CONSTITUTION

That will be submitted to the voters
November 8, 2016



This pamphlet includes
EXPLANATION OF THE PROPOSED AMENDMENT;
ARGUMENTS IN FAVOR OF THE AMENDMENT;
ARGUMENTS AGAINST THE AMENDMENT;
FORM OF BALLOT

Published as set forth in compliance with the Illinois Constitutional
Amendment Act (5 ILCS 20):

Jesse White • Secretary of State

Dear Resident,

Official records indicate that over 3.77 million people in Illinois, who may be eligible, are not registered to vote and as many as 678 thousand people need to update their registration to reflect their current name and/or address. If you are a U.S. Citizen, a resident of Illinois, and will be 18 years old or older before the next general election in November, you are qualified to vote. You can check your current registration status, register to vote or update your existing registration online at: <https://register2016.elections.il.gov>.

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At the General Election to be held on the 8th day of November, 2016, you will be called upon to adopt or reject the following proposed amendment to the Illinois Constitution. As required by law, I provide you with the following information.

JESSE WHITE
Secretary of State

To the Electors of the State of Illinois:

The Illinois Constitution establishes a structure for government and laws. There are three ways to initiate change to the Illinois Constitution: (1) a constitutional convention may propose changes to any part; (2) the General Assembly may propose changes to any part; or (3) a petition initiative may propose amendments limited to structural and procedural subjects contained in the Legislative Article. The people of Illinois must approve any changes to the Constitution before they become effective. The purpose of this document is to inform you of proposed changes to the Illinois Constitution and provide you with a brief explanation and a summary of the arguments in favor of and in opposition to the proposed amendment.

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(e) If the General Assembly appropriates funds for a mode of transportation not described in this Section, the General Assembly must provide for a dedicated source of funding.

(f) Federal funds may be spent for any purposes authorized by federal law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

EXPLANATION

The proposed amendment adds a new Section to the Revenue Article of the Illinois Constitution that provides revenue generated from transportation related taxes and fees (referred to as "transportation funds") shall be used exclusively for transportation related purposes. Transportation related taxes and fees include motor fuel taxes, vehicle registration fees, and other taxes and user fees dedicated to public highways, roads, streets, bridges, mass transit (buses and rail), ports, or airports.

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Arguments in Favor of the Proposed Amendment

Historically, the State and units of local government have used portions of revenue from transportation funds for other purposes. Approval of this amendment will ensure that transportation funds are used only for transportation purposes. This limitation provides a dedicated source of funding for projects that will increase the quality of Illinois' roads, bridges, bridge and road safety inspections, and mass transit. Improving the quality of our roads and highways will help reduce accidents and damage to vehicles caused by road conditions or hazards.

Arguments Against the Proposed Amendment

Approval of the proposed amendment unnecessarily limits the power of the State and local governments to appropriate public revenues for the general welfare of all Illinoisans in order to protect funding for one particular purpose transportation. Our elected officials should be asked to prioritize the use of public funds, but this amendment would restrict their ability to spend funds as the elected officials and taxpayers deem fit. As a result, elected officials may be asked to reduce funding for other priorities, such as education or social service programs.

FORM OF BALLOT**Proposed Amendment to the 1970 Illinois Constitution****Explanation of Amendment**

The proposed amendment adds a new section to the Revenue Article of the Illinois Constitution. The proposed amendment provides that no moneys derived from taxes, fees, excises, or license taxes, relating to registration, titles, operation, or use of vehicles or public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports, or motor fuels, including bond proceeds, shall be expended for other than costs of administering laws related to vehicles and transportation, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes, including the State or local share to match federal aid highway funds. You are asked to decide whether the proposed amendment should become part of the Illinois Constitution.

YES	For the proposed addition
-----	of Section 11 to Article IX
NO	of the Illinois Constitution.

CAPITOL BUILDING
SPRINGFIELD, ILLINOIS
OFFICE OF THE SECRETARY OF STATE

I, Jesse White, Secretary of the State of Illinois, do hereby certify that the foregoing is a true copy of the Proposed Amendment, the Explanation of the Proposed Amendment, Arguments in Favor of the Amendment and Arguments Against the Amendment and a true copy of the Form of Ballot for this call as the regularly scheduled general election on Tuesday, November 8, 2016, as set forth in compliance with the Illinois Constitutional Amendment Act.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of Illinois, Done in the City of Springfield, this 22nd day of June, 2016.

Jesse White

Jesse White
Secretary of State

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Jesse White

Secretary of State

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No. 127126

**IN THE
SUPREME COURT OF ILLINOIS**

ILLINOIS ROAD AND TRANSPORTATION BUILDERS ASSOCIATION,
FEDERATION OF WOMEN CONTRACTORS, ILLINOIS ASSOCIATION OF
AGGREGATE PRODUCERS, ASSOCIATED GENERAL CONTRACTORS OF
ILLINOIS,

ILLINOIS ASPHALT PAVEMENT ASSOCIATION, ILLINOIS READY MIXED
CONCRETE ASSOCIATION, GREAT LAKES CONSTRUCTION ASSOCIATION,
AMERICAN COUNCIL OF ENGINEERING COMPANIES (ILLINOIS CHAPTER),
CHICAGOLAND ASSOCIATED GENERAL CONTRACTORS,
UNDERGROUND CONTRACTORS ASSOCIATION OF ILLINOIS, AND
ILLINOIS CONCRETE PIPE ASSOCIATION,

Plaintiffs-Petitioners,

v.

COUNTY OF COOK, a body politic and corporate,

Defendant-Respondent.

On Petition for Leave to Appeal from the Illinois Appellate Court,
First Judicial District, No. 1-19-0396.
There Heard on Appeal from the Circuit Court of Cook County, Illinois,
County Department, Chancery Division, No. 18 CH 02992.
The Honorable Peter Flynn, Judge Presiding.

CERTIFICATION OF MARC R. POULOS

I, Marc R. Poulos, state and certify pursuant to 28 U.S.C. § 1746 as follows:

1. I am the Executive Director and Counsel for the Indiana, Illinois, Iowa Foundation for Fair Contracting, the Midwest Operating Engineers Construction Industry Research and Service Trust Fund, the Chicagoland Operators Joint Labor-Management Political Action Committee and Fight Back Fund.
2. I am a member serving on the Board of the Transportation for Illinois Coalition.

3. Part of my responsibilities of Executive Director, Counsel, and Board Member include drafting legislation, lobbying in support or in opposition to various legislation, and creating and participating in various ballot initiative campaigns.

4. With respect to House Joint Resolution Constitutional Amendment 36 (entitled "Transportation Taxes and Fees Lockbox Amendment") commonly known as the "Safe Roads Amendment," I drafted and participated in the creation and/or approval of various documents throughout the Safe Roads Amendment Campaign included in the Appendix.

5. Under penalties and sanctions provided by law, I certify true and correct copies of the following documents are included in the Appendix:


<i>Vote YES on HJRCA 36</i> , Handout (Transportation for Illinois Coalition), 2016	A1
<i>Pave the Way to A Good Economy</i> , News Release (Transportation for Illinois Coalition), 2016	A2
<i>Better Roads Ahead</i> , Presentation (Citizens to Protect Transportation Funding), 2016.....	A3
<i>HJRCA 36 Fact Sheet</i> , Flyer (Chicagoland Operators Joint Labor-Management PAC), 2016	A4
Marc R. Poulos, Testimony on House Bill HJRCA 36, 2016.....	A8
Citizens to Protect Transportation Funding, "2016 Ballot Initiative Campaign" Prospectus	A14
<i>Vote YES on the Safe Roads Amendment</i> , Palm Card (Citizens to Protect Transportation Funding), 2016	A15
<i>Vote YES Safe Roads Amendment Safety. Accountability. Jobs.</i> , Flyer (Citizens to Protect Transportation Funding), 2016.....	A16
<i>Safer Roads with NO NEW TAXES</i> , Flyer (Citizens to Protect Transportation Funding), 2016.....	A17

Illinois Safe Roads Constitutional Amendment Vote YES, Mailer (Citizens to Protect Transportation Funding, IUOE Local 150), 2016A18

Safe Roads Amendment FAQ, saferoadsamendment.com (2016)A19

I certify under penalty of perjury that the foregoing is true and correct.

Executed on June 29, 2021.



MARC R. POULOS