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Illinois: Public Policy Groups Put Up Caution Signs on Transportation Amendment.

SPRINGFIELD — With Election Day just around the corner, public policy organizations are urging voters to proceed with caution on a proposed amendment to the Illinois Constitution that would create a “lockbox” for transportation funding.

The Center for Municipal Finance at the University of Chicago’s Harris School of Public Policy and the bipartisan Center for Tax and Budget Accountability are among the latest to issue warnings about the unintended consequences of the so-called “Safe Roads Amendments” and the difficulty that would be involved in rectifying them if voters on Tuesday approve the measure.

Supporters of the proposal, including road builders, labor unions, and lawmakers and organizations across the political spectrum, say the measure is necessary because the General Assembly too often has diverted money intended for roads and other transportation infrastructure to pay for unrelated expenses.

As Mike Sturino, president and CEO of the Illinois Road and Transportation Builders Association and a spokesman for Citizens to Protect Transportation Funding, put it last month: “This measure is about better accountability in Springfield. It’s about enhancing the safety of our transportation infrastructure, and it’s about growing our economy through having a great transportation network.”

While those goals are admirable, critics say, amending the state constitution to achieve them would be an extraordinary step.

“The fact that this is a constitutional amendment is something that people should take into consideration very carefully,” said Amanda Kass, assistant director of the Center for Municipal Finance, “because once it’s approved, once it’s part of the constitution, that’s very difficult to change.”

If the amendment receives support from either 60 percent of those voting on the issue or a majority of those voting in the election as a whole, it would take another amendment to make any changes. The soonest that could happen would be in 2018.

“Because of the number of questions there are about the amendment’s ultimate impact, voters don’t really know what they’re voting on,” Kass said. “You don’t really know what you’re going to get with this.”

The Center for Municipal Finance says the proposal is vaguely worded and “may result in more revenue streams, at both state and local levels of government, than intended being restricted to a limited number of transportation related expenses.”

As one example, the Center for Tax and Budget Accountability, which calls the proposal “bad policy for Illinois,” points to the roughly \$30 million in revenue the Department of Natural Resources receives annually from license plate and vehicle title fees. The amendment may restrict the

department to using that revenue only for transportation-related expenses.

“That is clearly transportation-related revenue based on ... a plain reading of the amendment ... but that’s not money that’s currently meant to be used for transportation services,” senior policy analyst Daniel Hertz said.

In response to questions about the amendment, the department has issued the following statement: “When election results are known for the Lockbox Amendment, staff will do any evaluations necessary to determine its potential impacts on IDNR’s budget.”

Supporters have said that if the amendment passes, follow-up legislation could be used to help clarify what counts as transportation-related revenue and how it can be spent. But that legislation would be subject to judicial interpretation.

Kass added, “There’s a bit of an irony to proponents saying, ‘Oh, well, lawmakers are going to clean up the implementation,’ because part of the argument for this ... is that lawmakers have misspent transportation funds ... and yet we’re going to trust those same lawmakers to write the rules about how this amendment is supposed to work.”

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