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SENATE RESOLUTION

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WHEREAS, Proposals have been made to sell or lease all or part of the property of the State toll highway system to private parties and also to assign all or part of the revenue received by the State toll highway system from tolls paid by the public to private parties, in order to raise money for Illinois' pension funds; and

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WHEREAS, The Toll Highway Act provides that the purpose of the State Toll Highway Authority is "to promote the public welfare, and to facilitate vehicular traffic by providing convenient, safe, modern and limited access highways designed for the accommodation of the needs of the traveling public through and within the State of Illinois," not to enrich private parties through the use of its public powers; and

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WHEREAS, The Toll Highway Act provides that the tolls collected by the State Toll Highway Authority are to be used "to provide for the construction, operation, regulation and maintenance of a toll highway or a system of toll highways, incorporating therein the benefits of advanced engineering skill, design, experience and safety factors, to eliminate existing traffic hazards, and to prevent automotive injuries and fatalities", not for the enrichment of private parties; and

1           WHEREAS, Proposals to divert the public funds and property  
2 of the State Toll Highway Authority for the enrichment of  
3 private parties violate the spirit, if not the letter, of  
4 Section 1 of Article VIII of the Illinois Constitution, which  
5 provides that "public funds, property or credit shall only be  
6 used for public purposes"; and

7           WHEREAS, Proposals to divert the public funds and property  
8 of the State Toll Highway Authority rightly call to mind the  
9 City of Chicago's failed experiment with privatizing its  
10 parking meters, parking garages, and the Chicago Skyway, where  
11 ever-increasing fees continue to be paid to enrich private  
12 parties while providing no continuing benefit to the public;  
13 and

14           WHEREAS, In 2016, the citizens of Illinois expressed their  
15 opposition to such diversions of public funds by amending their  
16 Constitution to add Section 11 to Article IX, which provides  
17 that "moneys, including bond proceeds, derived from taxes,  
18 fees, excises, or license taxes relating to registration,  
19 title, or operation or use of vehicles, or related to the use  
20 of highways, roads, streets, bridges, mass transit, intercity  
21 passenger rail, ports, airports, or to fuels used for  
22 propelling vehicles, or derived from taxes, fees, excises, or  
23 license taxes relating to any other transportation  
24 infrastructure or transportation operation, shall be expended"

1 only for "the following: the costs of administering laws  
2 related to vehicles and transportation, including statutory  
3 refunds and adjustments provided in those laws; payment of  
4 highway obligations; costs for construction, reconstruction,  
5 maintenance, repair, and betterment of highways, roads,  
6 streets, bridges, mass transit, intercity passenger rail,  
7 ports, airports, or other forms of transportation; and other  
8 statutory highway purposes."; and

9 WHEREAS, Using the tolls paid by the citizens of Illinois  
10 for the operation and maintenance of the State toll highway  
11 system to raise money for Illinois' pension funds blatantly  
12 violates the plain meaning of Section 11 of Article IX of the  
13 Illinois Constitution; therefore, be it

14 RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL  
15 ASSEMBLY OF THE STATE OF ILLINOIS, That we state our firm  
16 opposition to the unconstitutional diversion of the tolls  
17 collected by the State Toll Highway Authority; and be it  
18 further

19 RESOLVED, That we fully support the right of every Illinois  
20 citizen to enjoy the full benefit of the tolls paid to the  
21 State Toll Highway Authority in the form of improved roads and  
22 safer driving, without having any portion of those funds  
23 diverted for the enrichment of private parties; and be it

1 further

2 RESOLVED, That we state our firm opposition to any sale or  
3 lease of the properties of the State toll highway system and to  
4 any redirection of any portion of the tolls paid for the  
5 operation and maintenance of the State toll highway system for  
6 the enrichment of private parties.