

1 AMENDMENT TO SENATE BILL 685

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 685 on page 1,  
3 immediately below line 3, by inserting the following:

4 "Section 3. The Downstate Public Transportation Act is  
5 amended by changing Sections 2-2.04 and 2-6 as follows:

6 (30 ILCS 740/2-2.04) (from Ch. 111 2/3, par. 662.04)

7 Sec. 2-2.04. "Eligible operating expenses" means all  
8 expenses required for public transportation, including  
9 employee wages and benefits, materials, fuels, supplies,  
10 rental of facilities, taxes other than income taxes, payment  
11 made for debt service (including principal and interest) on  
12 publicly owned equipment or facilities, and any other  
13 expenditure which is an operating expense according to  
14 standard accounting practices for the providing of public  
15 transportation. Eligible operating expenses shall not include  
16 allowances: (a) for depreciation whether funded or unfunded;  
17 (b) for amortization of any intangible costs; (c) for debt  
18 service on capital acquired with the assistance of capital  
19 grant funds provided by the State of Illinois; (d) for  
20 profits or return on investment; (e) for excessive payment to  
21 associated entities; (f) for Comprehensive Employment  
22 Training Act expenses; (g) for costs reimbursed under

1 Sections 6 and 8 of the "Urban Mass Transportation Act of  
2 1964", as amended; (h) for entertainment expenses; (i) for  
3 charter expenses; (j) for fines and penalties; (k) for  
4 charitable donations; (l) for interest expense on long term  
5 borrowing and debt retirement other than on publicly owned  
6 equipment or facilities; (m) for income taxes; or (n) for  
7 such other expenses as the Department may determine  
8 consistent with federal Department of Transportation  
9 regulations or requirements.

10 With respect to participants other than any Metro-East  
11 Transit District participant and those receiving federal  
12 research development and demonstration funds pursuant to  
13 Section 6 of the "Urban Mass Transportation Act of 1964", as  
14 amended, during the fiscal year ending June 30, 1979, the  
15 maximum eligible operating expenses for any such participant  
16 in any fiscal year after Fiscal Year 1980 shall be the amount  
17 appropriated for such participant for the fiscal year ending  
18 June 30, 1980, plus in each year a 10% increase over the  
19 maximum established for the preceding fiscal year. For  
20 Fiscal Year 1980 the maximum eligible operating expenses for  
21 any such participant shall be the amount of projected  
22 operating expenses upon which the appropriation for such  
23 participant for Fiscal Year 1980 is based.

24 With respect to participants receiving federal research  
25 development and demonstration operating assistance funds for  
26 operating assistance pursuant to Section 6 of the "Urban Mass  
27 Transportation Act of 1964", as amended, during the fiscal  
28 year ending June 30, 1979, the maximum eligible operating  
29 expenses for any such participant in any fiscal year after  
30 Fiscal Year 1980 shall not exceed such participant's eligible  
31 operating expenses for the fiscal year ending June 30, 1980,  
32 plus in each year a 10% increase over the maximum established  
33 for the preceding fiscal year. For Fiscal Year 1980, the  
34 maximum eligible operating expenses for any such participant

1 shall be the eligible operating expenses incurred during such  
2 fiscal year, or projected operating expenses upon which the  
3 appropriation for such participant for the Fiscal Year 1980  
4 is based; whichever is less.

5 With respect to all participants other than any  
6 Metro-East Transit District participant, the maximum eligible  
7 operating expenses for any such participant in any fiscal  
8 year after Fiscal Year 1985 shall be the amount appropriated  
9 for such participant for the fiscal year ending June 30,  
10 1985, plus in each year a 10% increase over the maximum  
11 established for the preceding year. For Fiscal Year 1985,  
12 the maximum eligible operating expenses for any such  
13 participant shall be the amount of projected operating  
14 expenses upon which the appropriation for such participant  
15 for Fiscal Year 1985 is based.

16 With respect to any mass transit district participant  
17 that has increased its district boundaries by annexing  
18 counties since 1998 and is maintaining a level of local  
19 financial support, including all income and revenues, equal  
20 to or greater than the level in the State fiscal year ending  
21 June 30, 2001, the maximum eligible operating expenses for  
22 any State fiscal year after 2002 shall be the amount  
23 appropriated for that participant for the State fiscal year  
24 ending June 30, 2002, plus, in each State fiscal year, a 10%  
25 increase over the preceding State fiscal year. For State  
26 fiscal year 2002, the maximum eligible operating expenses for  
27 any such participant shall be the amount of projected  
28 operating expenses upon which the appropriation for that  
29 participant for State fiscal year 2002 is based. For that  
30 participant, eligible operating expenses for State fiscal  
31 year 2002 in excess of the eligible operating expenses for  
32 the State fiscal year ending June 30, 2001, plus 10%, must  
33 be attributed to the provision of services in the newly  
34 annexed counties.

1 With respect to a participant that receives an initial  
 2 appropriation in State fiscal year 2002, the maximum eligible  
 3 operating expenses for any State fiscal year after 2003 shall  
 4 be the amount appropriated for that participant for the State  
 5 fiscal year ending June 30, 2003, plus, in each year, a 10%  
 6 increase over the preceding year. For State fiscal year  
 7 2003, the maximum eligible operating expenses for any such  
 8 participant shall be the amount of projected operating  
 9 expenses upon which the appropriation for that participant  
 10 for State fiscal year 2003 is based.

11 Notwithstanding any other provisions of this Section,  
 12 with respect to a participant that has received an amount  
 13 less than the percentage of eligible operating expenses equal  
 14 to the maximum received by any other participant in the  
 15 fiscal year ending June 30, 2002, the maximum percentage of  
 16 eligible operating expenses for the fiscal year ending June  
 17 30, 2003 and thereafter shall be the percentage received by  
 18 such other participant, except as provided in Section 2-7 of  
 19 this Act.

20 (Source: P.A. 92-258, eff. 8-7-01; 92-464, eff. 8-22-01;  
 21 92-651, eff. 7-11-02.)

22 (30 ILCS 740/2-6) (from Ch. 111 2/3, par. 666)

23 Sec. 2-6. Allocation of funds.

24 (a) With respect to all participants other than any  
 25 Metro-East Transit District participant, the Department shall  
 26 allocate the funds to be made available to each participant  
 27 under this Article for the following fiscal year and shall  
 28 notify the chief official of each participant not later than  
 29 the first day of the fiscal year of this amount. For Fiscal  
 30 Year 1975, notification shall be made not later than January  
 31 1, 1975, of the amount of such allocation. In determining the  
 32 allocation for each participant, the Department shall  
 33 estimate the funds available to the participant from the

1 Downstate Public Transportation Fund for the purposes of this  
2 Article during the succeeding fiscal year, and shall allocate  
3 to each participant the amount attributable to it which shall  
4 be the amount paid into the Downstate Public Transportation  
5 Fund under Section 2-3 from within its boundaries. Said  
6 allocations may be exceeded for participants receiving  
7 assistance equal to one-third of their eligible operating  
8 expenses, only if an allocation is less than one-third of  
9 such participant's eligible operating expenses, provided,  
10 however, that no other participant is denied its one-third of  
11 eligible operating expenses. Beginning in Fiscal Year 1997,  
12 said allocation may be exceeded for participants receiving  
13 assistance equal to the percentage of their eligible  
14 operating expenses provided for in paragraph (b) of Section  
15 2-7, only if allocation is less than the percentage of such  
16 participant's eligible operating expenses provided for in  
17 paragraph (b) of Section 2-7, provided however, that no other  
18 participant is denied its percentage of eligible operating  
19 expenses.

20 (b) With regard to any Metro-East Transit District  
21 organized under the Local Mass Transit District Act and  
22 serving one or more of the Counties of Madison, Monroe and  
23 St. Clair during Fiscal Year 1989, the Department shall  
24 allocate the funds to be made available to each participant  
25 for the following and succeeding fiscal years and shall  
26 notify the chief official of each participant not later than  
27 the first day of the fiscal year of this amount. The  
28 Department shall allocate 55% of the amount paid into the  
29 Metro-East Public Transportation Fund to the District serving  
30 primarily the Counties of Monroe and St. Clair and 45% of the  
31 amount to that District serving primarily the County of  
32 Madison. If an amount remains in the Downstate Public  
33 Transportation Fund after the allocation of funds pursuant to  
34 subsection (a), those funds shall be transferred and paid

1 over to the Metro-East Public Transportation Fund to the  
 2 extent necessary to allocate to any Metro-East Transit  
 3 District funds equal to 55% of eligible operating expenses of  
 4 the District, except as that percentage is otherwise limited  
 5 by subsection (b) of Section 2-7 of this Act.

6 (Source: P.A. 89-598, eff. 8-1-96.)"; and

7 on page 6, by replacing lines 10 through 14, with the  
 8 following:

9 "thereof, the corporate authorities and the county board  
 10 chairmen of each participating municipality or county shall  
 11 determine the percentage of service that the District  
 12 provides to each municipality or county. Each participating  
 13 municipality and county shall appoint trustees in proportion  
 14 to the percentage of service received from the District by  
 15 that municipality or county with the corporate authorities or  
 16 the county board chairman, with the consent of the county  
 17 board, of each participating municipality or county  
 18 appointing one trustee to the Board for each 30% or fraction  
 19 thereof of service that the municipality or county receives  
 20 from the District. If there is an even number of trustees  
 21 appointed to the Board, the corporate authorities or the  
 22 county board chairman, with the consent of the county board,  
 23 of the municipality or county that receives the largest  
 24 percentage of service from the District shall appoint one  
 25 additional trustee the--corporate-authorities-or-the-county  
 26 board-chairman-with-the-consent-of-the-county-board--of--each  
 27 participating--municipality--or--county--shall--appoint--one  
 28 trustee-to--the--Board--for--every--100,000--inhabitants,--or  
 29 fraction--thereof,--of--such--municipality--or--county. The first".