

1 AMENDMENT TO HOUSE BILL 305

2 AMENDMENT NO. _____. Amend House Bill 305 by replacing
3 everything after the enecting clause with the following:

4 "Section 5. The State Finance Act is amended by changing
5 Section 8.3 as follows:

6 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

7 Sec. 8.3. Money in the Road Fund shall, if and when the
8 State of Illinois incurs any bonded indebtedness for the
9 construction of permanent highways, be set aside and used for
10 the purpose of paying and discharging annually the principal
11 and interest on that bonded indebtedness then due and
12 payable, and for no other purpose. The surplus, if any, in
13 the Road Fund after the payment of principal and interest on
14 that bonded indebtedness then annually due shall be used as
15 follows:

16 first -- to pay the cost of administration of
17 Chapters 2 through 10 of the Illinois Vehicle Code,
18 except the cost of administration of Articles I and II of
19 Chapter 3 of that Code; and

20 secondly -- for expenses of the Department of
21 Transportation for construction, reconstruction,
22 improvement, repair, maintenance, operation, and

1 administration of highways in accordance with the
2 provisions of laws relating thereto, or for any purpose
3 related or incident to and connected therewith, including
4 the separation of grades of those highways with railroads
5 and with highways and including the payment of awards
6 made by the Industrial Commission under the terms of the
7 Workers' Compensation Act or Workers' Occupational
8 Diseases Act for injury or death of an employee of the
9 Division of Highways in the Department of Transportation;
10 or for the acquisition of land and the erection of
11 buildings for highway purposes, including the acquisition
12 of highway right-of-way or for investigations to
13 determine the reasonably anticipated future highway
14 needs; or for making of surveys, plans, specifications
15 and estimates for and in the construction and maintenance
16 of flight strips and of highways necessary to provide
17 access to military and naval reservations, to defense
18 industries and defense-industry sites, and to the sources
19 of raw materials and for replacing existing highways and
20 highway connections shut off from general public use at
21 military and naval reservations and defense-industry
22 sites, or for the purchase of right-of-way, except that
23 the State shall be reimbursed in full for any expense
24 incurred in building the flight strips; or for the
25 operating and maintaining of highway garages; or for
26 patrolling and policing the public highways and
27 conserving the peace; or for any of those purposes or any
28 other purpose that may be provided by law.

29 Appropriations for any of those purposes are payable from
30 the Road Fund. Appropriations may also be made from the Road
31 Fund for the administrative expenses of any State agency that
32 are related to motor vehicles or arise from the use of motor
33 vehicles.

34 Beginning with fiscal year 1980 and thereafter, no Road

1 Fund monies shall be appropriated to the following
2 Departments or agencies of State government for
3 administration, grants, or operations; but this limitation is
4 not a restriction upon appropriating for those purposes any
5 Road Fund monies that are eligible for federal reimbursement;

- 6 1. Department of Public Health;
- 7 2. Department of Transportation, only with respect
8 to subsidies for one-half fare Student Transportation and
9 Reduced Fare for Elderly;
- 10 3. Department of Central Management Services,
11 except for expenditures incurred for group insurance
12 premiums of appropriate personnel;
- 13 4. Judicial Systems and Agencies.

14 Beginning with fiscal year 1981 and thereafter, no Road
15 Fund monies shall be appropriated to the following
16 Departments or agencies of State government for
17 administration, grants, or operations; but this limitation is
18 not a restriction upon appropriating for those purposes any
19 Road Fund monies that are eligible for federal reimbursement:

- 20 1. Department of State Police, except for
21 expenditures with respect to the Division of Operations;
- 22 2. Department of Transportation, only with respect
23 to Intercity Rail Subsidies and Rail Freight Services.

24 Beginning with fiscal year 1982 and thereafter, no Road
25 Fund monies shall be appropriated to the following
26 Departments or agencies of State government for
27 administration, grants, or operations; but this limitation is
28 not a restriction upon appropriating for those purposes any
29 Road Fund monies that are eligible for federal reimbursement:
30 Department of Central Management Services, except for awards
31 made by the Industrial Commission under the terms of the
32 Workers' Compensation Act or Workers' Occupational Diseases
33 Act for injury or death of an employee of the Division of
34 Highways in the Department of Transportation.

1 Beginning with fiscal year 1984 and thereafter, no Road
2 Fund monies shall be appropriated to the following
3 Departments or agencies of State government for
4 administration, grants, or operations; but this limitation is
5 not a restriction upon appropriating for those purposes any
6 Road Fund monies that are eligible for federal reimbursement:

7 1. Department of State Police, except not more than
8 40% of the funds appropriated for the Division of
9 Operations;

10 2. State Officers.

11 Beginning with fiscal year 1984 and thereafter, no Road
12 Fund monies shall be appropriated to any Department or agency
13 of State government for administration, grants, or operations
14 except as provided hereafter; but this limitation is not a
15 restriction upon appropriating for those purposes any Road
16 Fund monies that are eligible for federal reimbursement. It
17 shall not be lawful to circumvent the above appropriation
18 limitations by governmental reorganization or other methods.
19 Appropriations shall be made from the Road Fund only in
20 accordance with the provisions of this Section.

21 Money in the Road Fund shall, if and when the State of
22 Illinois incurs any bonded indebtedness for the construction
23 of permanent highways, be set aside and used for the purpose
24 of paying and discharging during each fiscal year the
25 principal and interest on that bonded indebtedness as it
26 becomes due and payable as provided in the Transportation
27 Bond Act, and for no other purpose. The surplus, if any, in
28 the Road Fund after the payment of principal and interest on
29 that bonded indebtedness then annually due shall be used as
30 follows:

31 first -- to pay the cost of administration of
32 Chapters 2 through 10 of the Illinois Vehicle Code; and

33 secondly -- no Road Fund monies derived from fees,
34 excises, or license taxes relating to registration,

1 operation and use of vehicles on public highways or to
2 fuels used for the propulsion of those vehicles, shall be
3 appropriated or expended other than for costs of
4 administering the laws imposing those fees, excises, and
5 license taxes, statutory refunds and adjustments allowed
6 thereunder, administrative costs of the Department of
7 Transportation, payment of debts and liabilities incurred
8 in construction and reconstruction of public highways and
9 bridges, acquisition of rights-of-way for and the cost of
10 construction, reconstruction, maintenance, repair, and
11 operation of public highways and bridges under the
12 direction and supervision of the State, political
13 subdivision, or municipality collecting those monies, and
14 the costs for patrolling and policing the public highways
15 (by State, political subdivision, or municipality
16 collecting that money) for enforcement of traffic laws.
17 The separation of grades of such highways with railroads
18 and costs associated with protection of at-grade highway
19 and railroad crossing shall also be permissible.

20 Appropriations for any of such purposes are payable from
21 the Road Fund or the Grade Crossing Protection Fund as
22 provided in Section 8 of the Motor Fuel Tax Law.

23 Beginning with fiscal year 1991 and thereafter, no Road
24 Fund monies shall be appropriated to the Department of State
25 Police for the purposes of this Section in excess of its
26 total fiscal year 1990 Road Fund appropriations for those
27 purposes unless otherwise provided in Section 5g of this Act.
28 It shall not be lawful to circumvent this limitation on
29 appropriations by governmental reorganization or other
30 methods unless otherwise provided in Section 5g of this Act.

31 In fiscal year 1994, no Road Fund monies shall be
32 appropriated to the Secretary of State for the purposes of
33 this Section in excess of the total fiscal year 1991 Road
34 Fund appropriations to the Secretary of State for those

1 purposes, plus \$9,800,000. It shall not be lawful to
2 circumvent this limitation on appropriations by governmental
3 reorganization or other method.

4 Beginning with fiscal year 1995 and thereafter, no Road
5 Fund monies shall be appropriated to the Secretary of State
6 for the purposes of this Section in excess of the total
7 fiscal year 1994 Road Fund appropriations to the Secretary of
8 State for those purposes. It shall not be lawful to
9 circumvent this limitation on appropriations by governmental
10 reorganization or other methods.

11 Beginning with fiscal year 2000, total Road Fund
12 appropriations to the Secretary of State for the purposes of
13 this Section shall not exceed the amounts specified for the
14 following fiscal years:

15	Fiscal Year 2000	\$80,500,000;
16	Fiscal Year 2001	\$80,500,000;
17	Fiscal Year 2002	\$80,500,000;
18	Fiscal Year 2003	\$80,500,000;
19	Fiscal Year 2004	<u>\$64,400,000;</u>
20	<u>Fiscal Year 2005</u>	<u>\$48,300,000;</u>
21	<u>Fiscal Year 2006</u>	<u>\$32,200,000;</u>
22	<u>Fiscal Year 2007</u>	<u>\$16,100,000;</u>
23	<u>Fiscal Year 2008;</u> and	
24	each year thereafter	<u>\$0</u> \$30,500,000.

25 It shall not be lawful to circumvent this limitation on
26 appropriations by governmental reorganization or other
27 methods.

28 No new program may be initiated in fiscal year 1991 and
29 thereafter that is not consistent with the limitations
30 imposed by this Section for fiscal year 1984 and thereafter,
31 insofar as appropriation of Road Fund monies is concerned.

32 Nothing in this Section prohibits transfers from the Road
33 Fund to the State Construction Account Fund under Section 5e
34 of this Act.

1 Beginning with fiscal year 2004 and thereafter, no Road
2 Fund moneys may be appropriated to the Department of Central
3 Management Services, the Department of Employment Security,
4 the Department of Revenue, the Court of Claims, or any other
5 State agency (other than the Department of State Police and
6 the Department of Transportation and, until fiscal year 2008,
7 the Secretary of State) for the purposes of this Section.
8 Appropriations to those entities for those purposes shall,
9 instead, be made from the General Revenue Fund. It shall not
10 be lawful to circumvent this limitation on appropriations by
11 governmental reorganization or other methods. Nothing in
12 this paragraph prohibits appropriations from the Road Fund to
13 the Department of State Police for the purposes of the
14 highway patrol budget only.

15 Beginning with fiscal year 2008 and thereafter, no Road
16 Fund moneys may be appropriated to the Secretary of State for
17 the purposes of this Section. Appropriations to the
18 Secretary of State for those purposes shall, instead, be made
19 from the General Revenue Fund. Is shall not be lawful to
20 circumvent this limitation on appropriations by governmental
21 reorganization or other methods.

22 (Source: P.A. 91-37, eff. 7-1-99; 91-760, eff. 1-1-01.)".