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## **In Cash-Strapped States, Voters Could Protect Transportation Funds.**

*Chronic budget problems in Illinois and New Jersey prompted lawmakers to shortchange their transportation funds. But voters could make sure legislators in the future keep their hands off.*

Should transportation revenues — things like gas taxes and vehicle registration fees — be set aside and used only to fund transportation expenses? Most states say yes. And ballot initiatives in November could add two more to the list.

Voters in Illinois and New Jersey will determine on Election Day whether money raised from transportation-related activities should be protected from the general budget.

The ballot measures would change both states' constitutions to make the transportation set-asides permanent. The Illinois amendment would create a so-called lockbox, while New Jersey's measure would expand the types of revenue that are designated for transportation purposes.

Both states have gone more than 25 years without raising their fuel taxes, the primary source of transportation funds. Political gridlock in the two states has stymied other attempts to raise more money for infrastructure improvements.

In Illinois, new transportation revenue is nowhere on the horizon because the Republican governor and Democratic legislature have barely been able to pass a budget to keep the state government open.

In New Jersey, Republican Gov. Chris Christie and Democratic legislators have clashed repeatedly over transportation funds, as they have drained the pool of transportation money nearly dry. Things got so bad that Christie ordered a statewide shutdown of construction projects in July, and prospects of reaching a compromise soon to end the standoff are bleak.

So instead, lawmakers in both states overwhelmingly sent the lockbox measures to voters, even though the measures would tie the hands of legislators in the future.

"Illinois politicians have wasted millions of tax dollars on bureaucracy and mismanagement," said Frank Manzo of the Illinois Economic Policy Institute, pointing to \$6.8 billion of transportation money lawmakers diverted since 2002. That cost the state 4,700 jobs, he says. "Requiring transportation money to be spent on transportation would improve the Illinois economy."

Although the Illinois amendment has not received a lot of publicity, a broad array of groups are supporting it, including labor unions, business groups and transportation advocates. To pass, the amendment must receive the support of either 60 percent of those voting on the question or a majority of those voting in the election.

The strongest criticism of the proposal has come from Chicago's two largest newspapers.

“No one doubts that transportation projects are in a sorry state in Illinois, with roads and highways in need of billions of dollars of repairs even as money collected from a gas tax, tolls and license fees is spent elsewhere. But the solution is a budget, not a shell game,” wrote the editorial board of the Chicago Sun-Times. “A lockbox is nothing but an admission of failure, and we urge you to vote the idea down in November.”

The Chicago Tribune said the measure should have been called “The Illinois Crony Protection Amendment of 2016.” Its editorial board argued, “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.”

The debate has been more subdued in New Jersey, where the main attention has been on what mix of taxes should be raised and lowered to replenish the Transportation Trust Fund. But Christie has pushed the amendment, even as he’s negotiated with lawmakers on a tax deal.

“Vote yes on that because otherwise that increase will be able to be spent on anything, and if you leave an unguarded pot of money in Trenton — bad move, everybody. Bad move,” the governor said in a radio interview.

Thirty states have constitutional restrictions on how the revenues in transportation funds can be spent, according to the Council of State Governments. Maryland and Wisconsin became the most recent two to add those restrictions, when voters in those states added lockbox protections in 2014. Maryland voters approved the new rules shortly after lawmakers there passed a major transportation funding package. Wisconsin passed its amendment amid a long search for new transportation revenues, an issue that continues to divide its Republican governor and GOP-led legislature.

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