

# Jim Dey: 'Pandora's Box' a better name for 'lockbox' amendment

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The public-relations campaign behind the so-called "lockbox" amendment — the General Assembly's latest foray into rope-a-dope politics — is working beautifully.

A recent public opinion poll conducted by the Paul Simon Public Policy Institute at Southern Illinois University in Carbondale reveals that support for the measure is in the stratosphere. The poll revealed that 87 percent of downstate residents support the measure, 78 percent of suburban Chicago residents support it, and 73 percent of Chicagoans back it.

That's too bad. It proves once again that Illinoisans get the government they deserve because they keep electing public officials who disserve them.

What is the lockbox amendment? It's one of those scam proposals that has a surface appeal but actually is aimed at feathering the nests of members of an influential special interest group (the road-building lobby) who hand out big, fat campaign contributions to both Democrats and Republicans.

In true bipartisan fashion, Democratic and Republican legislators happily sold out the public interest on this one.

The proposed amendment to the Illinois Constitution is ostensibly aimed at upgrading the state's transportation network by using revenues generated by gas taxes, tolls and license fees exclusively for transportation projects. In other words, it requires that money that goes into the state's special transportation fund be spent only on transportation-related measures.

Doesn't that sound sensible? It does to those who aren't aware of the consequences.

Here's how state Sen. Bill Brady, R-Bloomington, recently touted the benefits of the lockbox proposal. He said that placing the state's transportation fund, one of its many special funds, off limits for nontransportation spending will prevent the Legislature from using that money to support the state's Medicaid program.

Yeah, Illinois doesn't need those Medicaid cheats taking money from road construction. Right?

The problem is that just because money from the transportation fund is walled off from Medicaid doesn't mean that the state is excused from meeting its skyrocketing Medicaid obligations. Or, for that matter, its obligations for public education, social-service programs or any of many other programs the state supports.

As most people who pay attention to state government know, Illinois is in desperate financial straits, mostly because it has for years spent more money than it has generated in revenue.

On July 1, the Land of Lincoln entered its second year without a permanent budget, a consequence of the joint failure by Republican Gov. Bruce Rauner and Democratic House Speaker Michael Madigan to reach a budget accord.

Madigan wants higher taxes. Rauner will accept higher taxes to get other reforms that Madigan flatly rejects. Even though they are at loggerheads, both agree Illinois needs more revenue.

As a halfway measure to assure K-12 schools opened in the fall, Rauner and Madigan agreed on a partial budget that will carry the state past the election. How were they able to reach that accord with insufficient revenues?

They took money from special state funds, including the transportation fund. Schools might not have opened in the fall if legislators had not had access to taxpayer dollars in those special funds.

Would the voters who say they support the lockbox amendment prefer that K-12 schools remained closed? Or that social-service agencies who serve those in need shut down? Are they even aware of the possibility of those unpalatable outcomes?

The Chicago Metropolitan Agency for Planning recently completed an analysis of the lockbox amendment. It indicated that "in fiscal years 2004 and 2005" that "a total of \$519.5 million was diverted" from transportation funds "to address other budget gaps."

But while acknowledging that "our state's and region's transportation networks do suffer from significant state of good repairs needs," the agency's analysts wondered "whether the amendment will leave intact the current flow of revenue and eligibility in the state and local transportation programs."

"The amendment text and the ballot language could be interpreted in ways that would prevent critical support for the transportation network," the agency's analysis states.

The agency said the proposed amendment "does not explicitly define statewide and metropolitan planning as eligible activities," is "highway oriented" and raises potential conflicts with home-rule communities.

"It remains unclear whether home-rule governments, including Cook County and many municipalities, could continue to freely use local option MFTs (motor fuel taxes) and vehicle-license-sticker revenues for any general purpose," the analysis states.

Everyone, of course, knows what happens when people are at odds on statutory or constitutional language.

"It is likely if questions persist and if there is disagreement over interpretations of the language, lawsuits will be filed to resolve those questions or disagreements ...," the analysis states.

What's eminently clear is that this proposal is, from a pure policy standpoint, deeply flawed and potentially huge destructive in a state that is effectively bankrupt. Making matters worse — if the analysts are on target — is that the amendment language is subject to different interpretations that might take time- and money-consuming lawsuits to resolve.

All this, of course, is floating below the surface. Backers of this ultimate special-interest legislation are touting the measure as a cure for bad roads, and the public is swallowing it — hook, line and sinker.

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