



STATE OF CONNECTICUT
HOUSE OF REPRESENTATIVES
HARTFORD, CONNECTICUT 06106-1591

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HOUSE REPUBLICAN LEADER

**Testimony on House Joint Resolution Number 1
Transportation Committee
February 29, 2016**

Chairmen Guerrero and Maynard, Ranking Members O'Dea and Boucher and Members of the Transportation Committee, we would like to thank the Committee for this opportunity to speak on **House Joint Resolution Number 1: A Resolution Proposing a State Constitutional Amendment to Protect the Resources of the Special Transportation Fund.**

After years of repeatedly raiding the Special Transportation Fund and diverting revenue promised to that fund, any large scale investment in transportation improvements, and certainly any new taxes intended to support those improvements, must be coupled with a comprehensive and enforceable transportation lockbox. Such a constitutional amendment must be clear and enforceable - unlike our constitutional cap on state spending. A transportation lockbox must also clearly capture existing as well as new sources of revenue intended to support transportation.

House Joint Resolution Number 1 is a good first step. It:

- Ensures that all STF funds are used solely for transportation purposes; and
- Directs the sources of STF funds to be deposited into the STF so long as they continue to be authorized by statute to be collected or received by the state.

While a good start, we think we can do a better job of ensuring that transportation dollars are truly locked-down and used only for transportation. Therefore, we support a resolution proposing a constitutional transportation lockbox ensuring that:

- 1) All resources of the STF are used solely for transportation purposes and may not be swept or otherwise repurposed;
- 2) Any existing or future tax, fee, toll or other source of revenue that supports the STF, shall continue to be directed to the STF and may not be intercepted, diverted or used for other purposes, provided however such tax, fee, toll or other source of revenue may be reduced or eliminated upon a determination by the legislature that such resources are no longer necessary for transportation purposes; and
- 3) Preservation of STF funds can be enforced by the state supreme court.

It is essential that any constitutional lockbox protect not just the corpus of the STF, but also require that all current and future revenue streams that support or are intended to support the STF, including the existing motor fuels and petroleum gross receipts taxes, DMV license and permit fees and relevant sales tax revenues, as well as any future taxes, fees or tolls that may be adopted by this legislature, continue to go into the STF and are not intercepted or diverted for other purposes. Should we reach a point where our substantial backlog of essential transportation improvements have been implemented and the amount of revenue flowing into the STF is no longer necessary to support our transportation needs, then such taxes, fees or tolls should be reduced or eliminated in keeping with our promise to the people, not used as a windfall to fund general government expenditures.

Furthermore, given our experience with the so-called constitutional spending cap, we must ensure that the transportation lock box is judicially enforceable by vesting original jurisdiction in the Connecticut supreme court to decide cases involving any tampering with the lock box. Failure to do so would allow future legislatures to violate the public trust just as it has violated that trust in failing to abide by our constitutional spending cap.

While we are happy to see this proposal before you today, it does not do enough to give the public confidence that transportation money will be used only for transportation nor does it ensure that future legislatures will keep the promise made to the people of this state to use transportation funding solely for transportation purposes.

We believe our proposal is a more comprehensive approach that will restore the public's trust and ensure that we keep our promise.

Thank you and we look forward to working with you on this important initiative.