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# State-Local Highway Consultation and Cooperation: The Perspective of State Legislators



**Advisory Commission on  
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**SR-9**  
May 1988

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The Perspective of  
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## Acknowledgments

This staff report is part of a larger study of the feasibility of devolving federally aided non-Interstate highway programs and revenue bases to the states and of state-local relations in the field of road and highway planning, financing, and construction. One important purpose of this research is to identify issues in state-local relations that would have to be addressed in considering ACIR's devolution proposal (see *Devolving Selected Federal-Aid Highway Programs and Revenue Bases: A Critical Appraisal*, September 1987, A-108).

The principal analyst and author of this report is Michael A. Pagano, Associate Professor of Political Science at Miami University, Oxford, Ohio. Susannah E. Calkins, Jane F. Roberts, and Rosita M. Thomas provided significant assistance in developing the survey instrument, administering the survey, and reviewing drafts of the report. Joan Casey reviewed drafts and proofs of the report. Essential secretarial services were provided by Anita J. McPhaul.

**John Kincaid**  
**Acting Executive Director**



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## Executive Summary

In September and October 1987, ACIR conducted a mail survey of a sample of state legislators considered to be knowledgeable about state-local relations and state highway programs. The survey contained two general sets of questions. The first set inquired about the state of state-local relations on highway issues; the second set of questions focused on issues raised by ACIR's proposal to devolve non-Interstate federal-aid highway programs and revenue bases to the states.

The results of the survey suggest that state-local cooperation is generally perceived as satisfactory by state legislators and that state-local relations are improving. Further, a clear majority of respondents felt that their states would either replace the full 7-cent federal excise tax on motor fuels relinquished under ACIR's turnback proposal or replace a sufficient portion of the federal gasoline tax to meet state and local highway needs. Although there were some regional differences on this issue, in general these views were characteristic of respondents' opinions across the nation.

A clear minority of legislators, however, voiced concerns. Only a few responded that state-local relations on highway matters had deteriorated during the past five years. A larger number suggested that local officials do not consult often enough with state legislators on highway matters that affect their jurisdictions. Also, a significant minority felt that their state would not replace or pick up all or most of the full 7 cents relinquished by the federal government under a turnback arrangement, although in some cases, legislators did not believe that it would be necessary for their state to pick up the full 7 cents in order to meet state and local highway needs.

It should be noted that the respondents who tended to be the least satisfied with state-local cooperation and to report the least state-local consultation on highway matters were members of the local government committees. It is possible that these respondents are more perceptive observers of the state of general state-local relations; however, the survey results suggest that when it comes to highway matters, local officials are more likely to consult with members of the transportation and finance

committees and with the majority and minority leaders of the legislature than with members of local government committees. Significantly, the transportation committee members and legislative leaders expressed more positive views about the “state” of state-local relations on highway matters.

In sum, from most state legislators’ perspectives, there is general agreement that (1) state and local governments do consult and cooperate with each other on highway matters, although there is room for improvement, and (2) most states would probably meet highway needs under a turnback program.

Specifically, the major findings from this study are the following:

- Most respondents rate highway programs at least as important as other state programs; in some cases, they rate highways as “more important.”
- In general—although a significant minority disagreed—state-local relations on highway matters are considered to be good and cooperative, and as having been stable or improving during the past five years.
- The majority of respondents believe that local officials consult with state legislators very often or often enough, that state procedures require about enough state-local consultation, and that state procedures for local consultation are very or somewhat satisfactory. Of particular importance is the fact that transportation committee members and legislative leaders were the most likely to hold these positive views of state-local relations.
- According to the respondents, the best articulators of highway needs are individual state legislators, local government associations, local government officials, and private associations. Legislators do not believe that professional associations and citizen action groups represent local highway needs as well as those other groups.
- More than two-thirds of the respondents report that local governments are very or somewhat successful in getting their highway needs met by their state. Legislators said that urban governments are most successful in getting their highway and street needs met by the state, followed closely by suburban governments and then small towns and rural governments.
- From the legislators’ perspective, the most involved state government actors in identifying and selecting state highway projects are, in order of their involvement: the state departments of transportation and their district offices, the governor’s office, the transportation committees of the state legislature, the legislature as a whole,

the finance committees of the legislature, the state budget office, and the local government committees of the legislature.

- Nearly half the respondents believe that their state would pick up all or more of the full 7-cent gasoline tax relinquished by the federal government under the terms of the turnback proposal. Of the remaining group, a substantial number believe that it would be unnecessary to pick up the full amount in order to meet the state's highway needs. Nevertheless, nearly one-third believe that their state would not pick up the full 7 cents and would, as a result, be unable to meet highway needs adequately.



## Introduction

On March 20, 1987, the Advisory Commission on Intergovernmental Relations approved three recommendations pertaining to highway financing. The recommendations called for: (1) stabilizing federal highway financing as an immediate goal; (2) improving state-local cooperation in highway planning and financing as an intermediate goal; and (3) devolving all non-Interstate federally aided highway programs and revenue bases to the states as a long-range goal. The last recommendation was approved with the understanding that consideration of ACIR's devolution proposal would require state and local governments to address important issues of state-local relations in highway planning, financing, and construction.

This report summarizes the results of a mail survey of state legislators' views on state-local cooperation on highway matters and on issues involved in implementing a devolution of federally aided highway programs. This report complements *Local Perspectives on State-Local Highway Consultation and Cooperation: Survey Responses from State Associations of Local Officials* (SR-4), issued by ACIR in July 1987.





## Survey Procedures

A mail survey was conducted of selected state legislators in the 50 states in order to assess their views on (1) the condition of state-local relations on highway matters and (2) issues likely to be pertinent to the implementation of ACIR's highway turnback proposal. Legislators who were thought to be knowledgeable about state highway matters and state-local relations in this field were identified for survey purposes. The key legislators were identified as: (1) the majority and minority leaders of the state house and senate; (2) the members of the fiscal (or appropriations) committees; (3) the members of the transportation committees; and (4) the members of the local government committees.

A sample of 570 legislators, representing virtually all legislators from the four groups, was selected and sent a four-page questionnaire. The questionnaires were mailed on September 14, 1987; follow-up questionnaires were sent on October 5, 1987, to all who had not yet responded to the first mailing. The survey questionnaire can be found in *Appendix A*. The state legislators were asked for their views on state-local relations in highway matters and on financial issues that might be involved in a devolution of federal-aid highway programs. Legislators were also asked to identify influential groups in highway policymaking.



## Response Rates

Questionnaire responses were received from 202 state legislators in 48 states. Of these, 199 were used for the following tabulation and analysis.<sup>8</sup> The total response rate, therefore, was 34.9 percent. The response rate is satisfactory for a mail questionnaire sent to top elected officials. Majority and minority leaders of the state houses and senates comprised the largest category of respondents (66). Fifty-four fiscal (or ways and means or appropriations) committee members, 48 local government committee members, and 30 members of transportation committees responded to the survey (see *Table 1*).

*Table 1*  
**The Sample**

<b>Respondent Categories</b>	<b>Number of Surveys Sent</b>	<b>Number of Surveys Returned</b>	<b>Percent Response Rate</b>
Majority/Minority Leaders	163	66	40.5
Members of: Fiscal Committee	181	54	29.8
Local Government Committee	126	49	38.9
Transportation Committee	100	30	30.0
Total	570	199	34.9

The regional distribution of the 199 survey responses was: 26.1 percent from the South; 28.1 percent from the Midwest; 28.6 percent from the West; and 17.1 percent from the Northeast.<sup>2</sup> As a proportion of their contribution to the total sample, returns from legislators in the Northeast

\*Three surveys were received from legislators in the Commonwealth of Puerto Rico. These responses are omitted from the following analysis because, even though Puerto Rico receives federal-aid highway funds, the federal government does not impose the 9-cent federal gasoline tax in Puerto Rico, as it does in the 50 states.

*Table 2*  
**Regional Distribution of Respondents**

	Number of Surveys Sent	Number of Surveys Returned	Percent of Respondents	Response Rate from Region
Northeast	106	34	17.1	32.1
Midwest	149	56	28.1	37.6
South	170	52	26.1	30.6
West	145	57	28.6	39.3
Total	570	199	100.0	34.9

amounted to 32.1 percent of the sample of potential respondents in that Northeast region. Questionnaires were returned from 37.6 percent of all midwestern legislators; 30.6 percent were returned from all southern legislators; and 39.3 percent were returned from all western legislators (see *Table 2*)\*. Views and opinions of western state legislators, then, are slightly overrepresented in this survey, while southern legislators' perspectives are slightly underrepresented.

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\*Regions were defined in accordance with official Census categories: *Northeast*—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania; *Midwest*—Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Missouri, Nebraska, Kansas, Minnesota, North Dakota, and South Dakota; *South*—Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Texas, Oklahoma, and Louisiana; *West*—Montana, Wyoming, Colorado, Utah, Idaho, Arizona, Nevada, New Mexico, California, Oregon, Washington, Alaska, and Hawaii.

# Findings

## Highway Issues Regarded as Important as Other State Issues

Two questions in the survey were designed to assess the relative importance of highway issues and the needs of highway programs compared to other state-funded programs. The first question asked state legislators to compare generally the importance of road and highway issues with other issues in their state. The second question asked whether legislators believed that a state tax increase enacted as a result of devolution would benefit nonhighway programs.

Based on the responses to the first question, road and highway issues are believed to be at least as “equally” important as other state issues, such as education, welfare, criminal justice, and economic development. Some 15.1 percent of the respondents indicated that highway issues are “much more” or “more” important than other state programs; 60.3 percent said that they are “equally” important; and only 23.6 percent responded that they are “less” important (see *Table 3*).

All state legislators, except for the members of transportation committees, tended to rate highway issues similarly. The notable exception is that 30.0 percent of the transportation committee legislators rated highway issues as being “more” or “much more” important than other issues, compared with only 15.1 percent of all state legislators (see *Table 3*). Overall, legislators from the Northeast rated highway issues as important as, or more important than, other state issues compared with legislators from the other three regions. More than 90 percent of northeastern legislators responded that highways are equally important or more important than other state functions, compared with 78.9 percent from the South and less than 70 percent from both the Midwest and the West.

The second question asked legislators whether they thought that any state tax increase levied as a result of devolution might benefit programs other than highways. This question asked legislators to make predictions

*Table 3*  
**In General, Are Road and Highway Issues More or Less Important in Your State Than Other Issues Such as Education, Welfare, Criminal Justice, and Economic Development?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Much More	0.0	1.9	0.0	3.3	1.0
More	13.6	9.3	12.2	26.7	14.1
Equally	60.6	64.8	59.2	53.3	60.3
Less	24.2	24.1	28.6	13.3	23.6
Don't Know/ No Response	1.5	0.0	0.0	3.3	1.0
Number of Responses	66	54	49	30	199
	Northeast	Midwest	South	West	Total
Much More	0.0	1.8	0.0	1.8	1.0
More	20.6	7.1	15.4	15.8	14.0
Equally	70.6	60.7	63.5	50.9	60.3
Less	23.6	8.8	28.6	21.2	29.8
Don't Know/ No Response	0.0	1.8	0.0	1.8	1.0
Number of Responses	34	56	52	57	199

\*Question 2 in survey.

about future tax policy, assuming the federal-aid highway turnback proposal were adopted by the Congress. Further, the question recognizes that there are demands placed on states to finance a variety of programs. If a state tax, such as a gas tax, were to be hiked, needs in a number of areas might be met with the new revenues. Like the recent proposals to raise the federal gas tax for purposes of deficit reduction, states might also wish to use funds obtained by raising the gas tax for nonhighway purposes.

According to 53.7 percent of the respondents, if their state were to raise taxes, nonhighway programs would probably benefit from this new tax revenue; 39.2 percent believed that if the state had to raise taxes, it would probably be exclusively for the highway program (see *Table 4*). The responses from those who said that highway issues were "less" important than other state issues (as described in *Table 3* above) were not significantly correlated with the responses that nonhighway programs would benefit from a tax increase. In other words, the perception that nonhighway programs would benefit from any gas tax increase was not a view held only by legislators who believe that other state issues are more pressing than highways.

*Table 4*  
**If the State Has to Raise Taxes,  
 Will It Likely Be for Programs Other Than Highways?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Strongly Agree	4.5	11.1	8.2	6.7	7.5
Agree	53.0	40.7	49.0	36.7	46.2
Disagree	33.3	37.0	28.6	36.7	33.7
Strongly Disagree	4.5	1.9	6.1	13.3	5.5
Don't Know/ No Response	4.5	9.3	8.2	6.7	7.0
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
Strongly Agree	2.9	7.1	7.7	10.5	7.5
Agree	38.2	46.4	51.9	45.6	46.2
Disagree	41.2	37.5	30.8	28.1	33.7
Strongly Disagree	14.7	1.8	3.8	5.3	5.5
Don't Know/ No Response	2.9	7.1	5.8	10.5	7.0
Number of Responses	34	56	52	57	199

\*Question 17 in survey.

Although legislators' views did not differ significantly according to their committee assignments, they did differ by the region of the country in which they reside. A majority of legislators from the Northeast (55.9 percent) responded that in the event of a turnback, any new tax would benefit highways solely without the need to raise taxes for other purposes, compared to 39.4 percent from the Midwest, 34.6 percent from the South, and 33.4 percent from the West.

### **State-Local Consultation on Highway Issues Is Viewed as Generally Satisfactory**

A set of questions asking for assessments of the state-local cooperation and consultation on state highway matters was presented to the legislators. Their responses suggest that such cooperation is generally good or excellent (56 percent of the state legislators agreed with that assessment) and that the trend in state-local cooperation is at least stable (the response of 52 percent of state legislators) or improving (37 percent).

A substantial majority of state legislators felt that local officials consult "very often" (17.6 percent) or "often enough" (47.2 percent) with state

legislators on the financing, planning, or construction of state roads or highways in their jurisdictions (see *Table 5*). This was the opinion of more than three-fourths of the northeastern legislators and nearly three-fourths of the midwestern legislators, but only of slightly more than half of the southern and western respondents. However, 27.1 percent responded that state legislators are consulted “not very often” by local officials and 6.0 percent responded that they are never consulted. Western and southern legislators were more negative in their response to this question compared with other legislators. About 40 percent of the western legislators and 38 percent of the southern legislators responded that local officials consult with state legislators infrequently or not at all.

*Table 5*  
**Do Local Officials Consult with State Legislators on the Financing, Planning, or Construction of State Roads and Highways in Their Jurisdictions?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Very Often	18.2	22.2	14.3	13.3	17.6
Often Enough	54.5	42.6	32.7	63.3	47.2
Not Very Often	24.2	29.6	36.7	13.3	27.1
Not at All	3.0	3.7	10.2	10.0	6.0
Don't Know/ No Response	0.0	1.9	6.1	0.0	2.0
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
Very Often	23.5	14.3	23.5	10.5	17.6
Often Enough	52.9	57.1	34.6	45.6	47.2
Not Very Often	17.6	23.2	34.6	29.8	27.1
Not at All	2.9	5.4	3.8	10.5	6.0
Don't Know/ No Response	2.9	0.0	1.9	3.5	2.0
Number of Responses	34	56	52	57	199

\*Question 3 in survey.

There were, however, differences in responses among legislators who serve on different committees. Members of transportation committees and legislative majority and minority leaders reported the most consultation (76.6 percent and 72.7 percent, respectively). Members of local government committees reported the least frequent consultation; only 47.0 percent of these respondents reported that local officials consult with state



legislators very often or often enough. In short, it would appear that when local officials wish to consult with state legislators on highway matters, they go to the transportation committees and legislative leaders.

Nearly two-thirds of the respondents believed that state procedures require “about enough” consultation between state and local governments on highway programs (see *Table 6*). Although a tiny number (2.0 percent) felt that state procedures require too much consultation, a significant minority (29.6 percent) felt that “too little” consultation is required. Nearly half the legislators from the Northeast (47.1 percent) felt that state procedures do not require enough consultation on highway issues. Midwestern and southern legislators, on the other hand, tended to give higher marks to the amount of requisite consultation on highway matters.

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*Table 6*  
**Do State Procedures Require Too Much, Too Little, or  
 Just about Enough State-Local Consultation on State Road and High-  
 way Planning and Construction?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government		Total Responses
			Committee Members	Transportation Committee Members	
Too Much	3.0	1.9	0.0	3.3	2.0
About Enough	66.7	64.8	49.0	73.3	62.8
Too Little	27.3	29.6	40.8	16.0	29.6
Don't Know/ No Response	3.0	3.7	10.2	6.7	5.5
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
Too Much	0.0	5.4	0.0	1.8	2.0
About Enough	50.0	73.2	69.2	54.4	62.8
Too Little	47.1	16.1	26.9	35.1	29.6
Don't Know/ No Response	2.9	5.4	3.8	8.8	5.3
Number of Responses	34	56	52	57	199

\*Question 4 in survey.

Even though a minority of respondents (29.6 percent) felt that state procedures require “too little” consultation, when asked if they felt satisfied with those procedures, the percentage of dissatisfied legislators (those responding “not at all”) dropped to 3.5 percent (see *Table 7*). Only 21.1 percent of the respondents felt “not very” or “not at all” satisfied with state consultative procedures, compared with the 29.6 percent who thought that state procedures require too little consultation. Although there was no significant regional difference in responses to this question, legislative com-

*Table 7*  
**Overall, Are You Satisfied with Your State's Procedures for  
 Local Consultation on State Road and Highway Matters?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Very	18.2	25.9	16.3	23.3	20.6
Somewhat	54.5	51.9	46.9	73.3	54.8
Not Very	19.7	14.8	26.5	3.3	17.6
Not at All	3.0	3.7	6.1	0.0	3.5
Don't Know/ No Response	4.5	3.7	4.1	0.0	3.5
Number of Responses	66	54	49	30	199
	Northeast	Midwest	South	West	Total
Very	11.8	21.4	30.8	15.8	20.6
Somewhat	67.6	60.7	48.1	47.4	54.8
Not Very	14.7	10.7	19.2	24.6	17.6
Not at All	2.9	1.8	1.9	7.0	3.5
Don't Know/ No Response	2.9	5.4	0.0	5.3	3.5
Number of Responses	34	56	52	57	199

\*Question 5 in survey.

mittee assignment did make a difference. Local government committee members were noticeably less satisfied (32.6 percent) with the state's procedures than were legislators in general (21.1 percent). Members of state transportation committees, on the other hand, were more satisfied (96.6 percent) compared with the total sample of legislators (75.4 percent).

When asked to rate the level of cooperation between state and local officials on highway planning and construction, a majority of the legislators rated cooperation as "good" (49.2 percent) or "excellent" (7.0 percent). Only 7.0 percent rated state-local cooperation as "poor," and the remainder (33.7 percent) rated it "fair" (see *Table 8*). Regional differences were not significant. Committee assignment was important in one case. Fiscal committee members were much more positive about state-local cooperation, rating cooperation substantially higher—"good" (59.3 percent) or "excellent" (9.3 percent)—than the total sample of legislators (49.2 percent and 7.0 percent, respectively).

Finally, legislators' perceptions of the trend in state-local cooperation in highway matters seemed to indicate a generally positive development. Over one-third (36.7 percent) identified "improved" cooperation. Only 6.5 percent felt that cooperation had actually "deteriorated" (see *Table 9*).

Slightly more than half (52.3 percent) viewed the trend in state-local cooperation as the "same." Whether those who responded that state-local cooperation was the "same" meant that state-local cooperation was bad but unchanged, or good but unchanged, is not known. What is important to note is that most of those who could discern a trend identified a positive development in state-local relations.

*Table 8*  
**Overall, How Would You Rate the Level of Cooperation that Occurs in Your State between Local Officials and State Officials on Road and Highway Planning and Construction?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Excellent	4.5	9.3	6.1	10.0	7.0
Good	45.5	59.3	44.9	46.7	49.2
Fair	40.9	20.4	36.7	36.7	33.7
Poor	7.6	7.4	8.2	3.3	7.0
Don't Know/ No Response	1.5	3.7	4.1	3.3	3.0
Number of Responses	66	54	49	30	199
	Northeast	Midwest	South	West	Total
Excellent	5.9	10.7	7.7	3.5	7.0
Good	41.2	48.2	57.7	47.4	49.2
Fair	41.2	37.5	26.9	31.6	33.7
Poor	8.8	0.0	5.8	14.0	7.0
Don't Know/ No Response	2.9	3.6	1.9	3.5	3.0
Number of Responses	34	56	52	57	199

\*Question 9 in survey.

There was a significant correlation between legislators' responses to the state-local "trend" question and their responses to the "level of cooperation" question. Not one legislator who viewed cooperation as "excellent" felt that those relations had "deteriorated"; these respondents all rated cooperation as the "same" or "improved." More than half of the small number of respondents who identified relations as having "deteriorated" rated state-local cooperation as only "fair" or "poor."

Regional differences were apparent in the responses to this question. Legislators from the Midwest and West saw less improvement in state-local cooperation; only 32.1 and 33.3 percent, respectively, responded that

*Table 9*  
**During the Past Five Years, Has the Level of State-Local Road and  
 Highway Cooperation in Your State Generally Improved,  
 Stayed the Same, or Deteriorated?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Transportation		Total Responses
			Committee Members	Committee Members	
Improved	37.9	40.7	30.6	36.7	36.7
Same	47.0	48.1	61.2	56.7	52.3
Deteriorated	12.1	7.4	2.0	0.0	6.5
Don't Know/ No Response	3.0	3.7	6.1	6.7	4.5
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
Improved	47.1	32.1	38.5	33.3	36.7
Same	41.2	58.9	51.9	52.6	52.3
Deteriorated	5.9	7.1	5.8	7.0	6.6
Don't Know/ No Response	5.9	1.8	3.8	7.0	4.5
Number of Responses	34	56	52	57	199

\*Question 10 in survey.

cooperation had improved. Nearly half (47.1 percent) of the northeastern respondents and 38.5 percent of the southern respondents noted improved cooperation. Of the few legislators who rated the trend as having "deteriorated," majority and minority leaders and fiscal committee members were more likely to fall in this category (12.1 and 7.4 percent respectively). No member of a transportation committee and a minuscule 2.0 percent of the local government committee members felt that state-local cooperation had deteriorated during the past five years.

### **Local Highway Needs Are Said to Be Effectively Represented by Several Key Groups**

Local highway needs are presented to the state legislature by a diverse set of actors or interest groups. The effectiveness of the interest groups' articulation of local highway needs is the subject of this question. In other words, how effectively do state legislators believe local highway needs are presented to the state?

The principal actors identified in the question were: local government associations (such as county and township associations, state municipal leagues, and regional planning organizations); professional associations

(such as the American Society of Civil Engineers, American Public Works Association); private interest groups (such as the Associated General Contractors); state legislators who lobby for their own district; local officials; and citizen action groups. All of these interest groups continuously monitor local highway needs and are in constant contact with state elected officials.

The survey asked legislators to rate the degree to which these groups represent the highway needs of local governments. Most of the actors were given high marks by the state legislators. Not unexpectedly, most state legislators felt that their own colleagues represent local highway needs "well" or "very well" (87.0 percent); only 10 percent gave themselves low marks. The group receiving the second highest positive evaluation was the local government associations. Nearly 80 percent of the legislators responded that local government associations articulate the highway needs of local governments "very well" or "well," while only 14.6 percent felt that they do a poor job. Local officials were also believed to be good articulators of local highway needs—75.4 percent of the state legislators rating them high. Private associations, such as the Associated General Contractors, articulate local highway needs "well" or "very well" according to two-thirds of the respondents; less than one fourth indicated otherwise (see *Table 10*).

*Table 10*  
**How Well Are the Highway Needs and Concerns of  
Local Governments in Your State Represented by the  
Following Groups?\***

	Legislators	Local Government Assoc.	Private Assoc.	Local Government Officials	Profes- sional Assoc.	Citizen Action Group
Very Well	32.2	19.1	21.1	17.1	7.5	7.0
Well	54.8	60.8	45.7	58.3	33.2	31.7
Not Well	9.0	13.6	20.6	19.1	32.7	38.7
Never	1.0	1.0	3.0	0.0	8.5	9.5
Don't Know/ No Response	3.0	5.5	9.5	5.5	18.1	13.1
Number of Responses	199	199	199	199	199	199

\*Question 11 in survey.

The other groups received substantially different marks for their articulation of highway needs compared with the four groups listed above. Professional associations were seen as good representatives of local highway needs by only 40.7 percent of the state legislators, while an almost identical percentage (41.2 percent) felt that they do not articulate local highway needs well. Citizen action groups were given a favorable rating by 38.7 percent of the respondents and an unfavorable rating by nearly half of the respondents (48.2 percent).

There was some regional variation in these responses (tables not shown). Over two-thirds of the legislators from the Northeast (70 percent) thought that citizen action groups represent local highway needs “very well” or “well” compared with a much lower national figure of 38.7 percent. Northeastern legislators gave lower marks to private associations (40 percent) compared with the national average (23.6 percent). Midwestern legislators were less likely to respond that citizen action groups represent local highway needs adequately (28.9 percent) compared with all the responding legislators (38.7 percent).

The views from the committees did not differ markedly, except in one case. Fully 96.7 percent of the transportation committee members responded that local government associations represent the highway needs of local governments “very well” or “well,” compared with 87.0 percent of the entire sample of legislators.

The great majority of state legislators believe, then, that individual legislators, local government associations, local officials, and private associations effectively represent the highway needs of local governments to the state. How successful local governments are in getting their highway needs met was the subject of the next set of questions.

### **Local Governments Are Generally Viewed as Successful in Getting Their Highway Needs Met**

Numerous interest groups and elected officials are in constant communication with state highway officials for the purposes of identifying and selecting highway projects. Legislators were asked how they perceive the success of local governments in getting their road, highway, and street needs met through the state. Local governments were separated into three categories: urban, suburban, and rural and small town.

A clear, but almost imperceptible, pattern emerged from the responses to the questions about local government successes. Legislators were more likely to say that urban governments are more successful in getting their highway needs met through the state than are other local governments. Nearly four in five legislators (78.4 percent) responded that urban governments are “very” or “somewhat” successful in getting their highway needs met by the state; 19.1 percent responded that urban highway needs are met “not very” well or “not at all”; and the remainder (4 percent) did not know or did not respond. Suburban governments are “very” or “somewhat” successful according to 71.4 percent of the respondents; however, 22.1 percent said that suburban governments are not very successful in getting their highway needs met by the state. Rural and small-town governments are successful according to 66.9 percent of the respondents, while 28.6 percent felt otherwise (see *Table 11*).

These generally high ratings by legislators suggest that although all types of local government have been generally successful, more often than not, in getting the state to meet their highway needs, urban governments

have been slightly more successful than suburban governments which, in turn, have been moderately more successful than rural and small-town governments.

*Table 11*  
**On Average, How Successful Are Urban, Suburban and Rural and Small Town Governments in Getting Their Road, Highway, and Street Needs Met by the State?\***

	Urban	Suburban	Rural and Small Town
Very Successful	19.6	10.6	15.1
Somewhat Successful	58.8	60.8	51.8
Not Very Successful	17.6	21.1	24.6
Not at All Successful	1.5	1.0	4.0
Don't Know/No Response	2.5	6.5	4.5
Number of Responses	199	199	199

\*Questions 6, 7, and 8 in survey.

Analysis of the data revealed only one significant regional difference in these responses and one committee assignment difference (table not shown). Western legislators responded differently than others on their assessment of the success of suburban governments. Over one-third (36.5 percent) responded that suburban governments in their states are “not very” or “not at all” successful in getting their highway needs met through the state. This compares with only 22.1 percent nationwide. A smaller percentage of transportation committee members identified rural and small-town highway needs as not having been successfully met (17.2 percent) than did the legislators on other committees (28.6 percent).

### **State Highway Projects Are Identified and Selected Primarily by State Departments of Transportation**

The process of selecting state-funded road and highway projects requires the participation of numerous state agencies and legislative actors. This question asked legislators to rank-order the degree of these key actors' involvement in and influence over the highway project selection process. The most prominent actors identified in the survey include the state department of transportation (DOT), district or regional offices of the state DOT, the budget office, the governor's office, the state legislature (in general), and the legislative committees on transportation, finance (or appropriations), and local government.

Of the eight legislative and executive groups mentioned above, three distinct levels of involvement can be identified from the survey responses. The group deemed most important by the legislators in identifying and selecting highway projects is, not surprisingly, the state department of trans-

portation. Nearly 90 percent of all respondents said that the state DOT is “very involved” or “fairly involved” (defined as 1 and 2, respectively, on the 5-point scale in the questionnaire) in project selection; additionally, regional or district offices of state DOTs received a high involvement rating by 64.3 percent of the respondents. At the other end of the spectrum were the state budget offices and the local government committees, which received 28.2 percent and 18.1 percent active involvement ratings, respectively. These two groups fall well below the mean in legislators’ measurements of involvement in the highway selection process. The third (middle) level of involvement is composed of the remaining executive and legislative groups. These actors were cited as being quite involved in the selection of highway projects by 49-58 percent of respondents (see *Table 12*).

*Table 12*  
**How Would You Rate the Involvement of the Following Executive and Legislative Groups in the Identification and Selection of State-Funded Road and Highway Projects in Your State?\***

	Very Involved				Never Involved	Don't Know
	1	2	3	4	5	
State Departments of Transportation	71.9	16.6	6.5	1.5	0.0	3.5
District Offices of State DOT	37.7	26.6	18.1	3.5	0.5	13.6
Legislature Transportation Committee	19.1	39.2	23.1	10.6	5.5	2.5
Governor's Office	23.1	34.2	21.1	10.1	7.0	4.5
Finance Committee	26.6	26.1	26.6	7.0	6.5	7.0
State Budget Office	13.6	35.2	23.1	11.6	11.6	5.0
Local Government Committee	13.1	15.1	29.1	18.6	15.6	8.5
	4.0	14.1	24.1	23.6	26.1	8.0

\*Question 12 in survey.

There was substantial regional variation in the responses to this question (table not shown). All but one southern respondent (98 percent) felt that the state DOT is very involved. A much larger percentage of northeastern legislators than elsewhere identified the budget office as very involved (46.9 percent compared with the national average of 28.2 percent) and the transportation committee as very involved (78.8 percent compared with 57.3 percent nationally). Western legislators reported that their legislatures as a whole are very involved (47.4 percent) in the selection process at a rate considerably below the assessment of all other legislators (58.3 percent).

Legislators’ views on the highway selection process appear to be influenced strongly by their committee assignments. Not surprisingly, trans-



portation committee members and finance committee members were more likely to argue that they are very involved in the selection process compared to the assessment of other legislators. Approximately 57 percent of all legislators felt that transportation committee members are very involved in the selection process, whereas 75 percent of the transportation committee members felt very involved in the process. Likewise, 48.8 percent of all legislators believed that the finance committee members are very involved, while 62 percent of the finance committee members responded that they are very involved.

Transportation committee members' responses to this question were substantially different in ranking involvement in almost all respects. For example, 64.4 percent of the transportation committee members thought that the DOT districts are very involved, compared with 72 percent of all legislators. The majority and minority leaders of the state houses and senates were in obvious disagreement with transportation committee members, as fully 80 percent of the state legislative leadership felt that the district DOT offices are very involved. More transportation committee members also said that the budget office is not involved (48.2 percent), compared with all of the responding state legislators (34.2 percent). Only 40 percent of transportation committee members felt that the governor is very involved, compared with 52.7 percent of all legislators.

Except in one instance, transportation committee members felt that all other executive and legislative groups (except themselves) are less involved in the selection process than did all legislators. The one exception is that transportation committee members perceived more involvement by the state DOT than did other legislators.

### **States Seen as Likely to Pick Up All or Most of a Relinquished Federal Gasoline Tax**

The final set of questions focused on the proposal to devolve the non-Interstate federal-aid highway program to the states. The questionnaire explained the ACIR turnback proposal, noting that it does not include the Interstate highway system and that it means states would have the option of raising their state gasoline tax to "pick up" or replace all or some of the relinquished 7-cent federal excise tax on motor vehicle fuels. Legislators were asked to predict how much of the relinquished 7-cent federal gasoline tax they believed their states would pick up. The questionnaire further noted that the state would have to enact its own replacement tax, and that the state gasoline tax would not be automatically raised under the turnback proposal unless already authorized by state statute (as is the case, for example, in Arkansas and California).

Nearly half of the respondents (49.8 percent) felt that their state would pick up all or more of the full 7 cents (indeed, of those respondents, 11.6 percent thought that their state would pick up more than the 7 cents). Another 22.1 percent responded that they thought their state would pick up

“most” (4 cents to 6 cents) of the federal motor-fuel excise tax, and 16.1 percent chose the “some” (or 1-cent to 3-cent) option. Only 7.5 percent said that their state would not pick up any of the relinquished federal gasoline tax (see *Table 13*).

*Table 13*  
**How Much of the Relinquished 7-Cent Federal Gasoline Tax  
 Do You Believe Your State Would Pick Up or Levy?\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
None	7.6	9.3	4.1	10.0	7.5
Some (1-3 Cents)	21.2	13.0	12.2	16.7	16.1
Most (4-6 Cents)	27.3	16.7	28.6	10.0	22.1
All (7 Cents)	34.8	50.0	34.7	30.0	38.2
More than 7 Cents	7.6	5.6	14.3	26.7	11.6
Don't Know/ No Response	1.5	5.6	6.1	6.7	4.5
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
None	14.7	5.4	9.6	3.5	7.5
Some (1-3 Cents)	14.7	19.6	13.5	15.8	16.1
Most (4-6 Cents)	20.6	21.4	30.8	15.8	22.1
All (7 Cents)	32.4	39.3	32.7	45.6	38.2
More than 7 Cents	14.7	8.9	9.6	14.0	11.6
Don't Know/ No Response	2.9	5.4	3.8	5.3	4.5
Number of Responses	34	56	52	57	199

\*Question 13 in survey.

Regional location was important in explaining these responses. A sizable percentage (59.6 percent) of the western legislators responded that their state would probably pick up the full 7 cents or more, compared with the respondents as a whole (49.8 percent). Legislative party leaders seemed to differ from other respondents on this matter. Only 42.4 percent of the majority and minority leaders selected the full replacement option (7 cents or more), compared with 56.7 percent of the transportation committee members, 55.6 percent of the fiscal committee members, and 49.0 percent of the local government committee members.

One possible implication of these responses is that legislators are not necessarily convinced that they or their constituents would regard a replacement tax any differently than an additional tax. Whether or not the pump price of gasoline changes—a 7-cent replacement tax would not

change the pump price—may be less important than the perception by legislators that a tax of any nature is a tax, replacement or otherwise. Furthermore, a majority of legislators believe that at least part of any state tax increase would benefit nonhighway functions (see *Table 4*).

**Legislators Believe the Majority of States Would Probably  
Have to Pick Up All or Most of a  
Relinquished Federal Gas Tax to Meet Highway Needs**

Many legislators may have chosen a less-than-full-replacement option because full replacement would not be necessary to meet their state's highway needs. Some states could probably meet their highway obligations without picking up the entire 7-cent tax. The legislators were asked if they believe that their state's highway needs could be met without replacing the full 7 cents relinquished by the federal government under a turnback strategy. Although a substantial majority (61.3 percent) disagreed with that view, 27.6 percent of the legislators did "agree" or "strongly agree" that full replacement would not be essential for their state to continue to meet its

*Table 14*  
**Current State Gasoline Tax Revenues Plus Some, Not All, of  
the Relinquished 7-Cent Federal Gasoline Tax Would Be Sufficient to  
Meet the Highway Needs of Our State.\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Strongly Agree	6.1	1.9	4.1	3.3	4.0
Agree	31.8	25.9	18.4	10.0	23.6
Disagree	50.0	42.6	36.7	50.0	44.7
Strongly Disagree	9.1	14.8	24.5	23.3	16.6
Don't Know/ No Response	3.0	14.8	16.3	13.3	11.1
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
Strongly Agree	0.0	5.4	3.8	5.3	4.0
Agree	32.4	19.6	32.7	14.0	23.6
Disagree	47.1	48.2	34.6	49.1	44.7
Strongly Disagree	8.8	21.4	13.5	19.3	16.6
Don't Know/ No Response	11.8	5.4	15.4	12.3	11.1
Number of Responses	34	56	52	57	199

\*Question 15 in survey.

highway obligations (see *Table 14*). Legislators from the South (36.5 percent) and the Northeast (32.4 percent) agreed with the statement more often than their colleagues elsewhere. Members of transportation committees agreed with the assessment considerably less often (13.3 percent). A substantial minority, then, appears to believe that the full 7-cent relinquished federal gas tax would not be necessary to meet their state's highway needs.

Two possible reasons for this response were explored. One questioned the "efficiency" of the federal excise tax on motor vehicle fuels, the other the "timing" of the turnback proposal. Both are explored below.

### **Most Legislators Do Not Believe the Federal Gasoline Tax Is too High**

Legislators were asked if they believe that the federal excise tax on motor vehicle fuels is too high, thus resulting in inefficient use of resources. Nearly one out of every three respondents (32.7 percent) either "agreed" or "strongly agreed" with that question (see *Table 15*). Western legislators were the only ones to register some "strongly agree" responses to the ques-

*Table 15*  
**The Current Federal Gasoline Tax Is Too High,  
Resulting in Inefficient Use of Resources.\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Strongly Agree	4.5	0.0	2.0	3.3	2.5
Agree	24.2	31.5	40.8	23.3	30.2
Disagree	45.5	46.3	28.6	36.7	40.2
Strongly Disagree	10.6	11.1	8.2	26.7	12.6
Don't Know/ No Response	15.2	11.1	20.4	10.0	14.6
Number of Responses	66	54	49	30	199
	Northeast	Midwest	South	West	Total
Strongly Agree	0.0	0.0	0.0	8.8	2.5
Agree	23.5	39.3	32.7	22.8	30.2
Disagree	47.1	39.3	36.5	40.4	40.2
Strongly Disagree	20.6	10.7	7.7	14.0	12.6
Don't Know/ No Response	8.8	10.7	23.1	14.0	14.6
Number of Responses	34	56	52	57	199

\*Question 16 in survey.

tionnaire statement. Northeastern legislators registered “disagree” or “strongly disagree” responses (67.7 percent) more often than other legislators. Surprisingly, however, more legislators on local government committees (42.8 percent) than all other respondents agreed that the federal gas tax is too high, thus resulting in inefficient use of resources.

Analysis of the data showed that approximately 28 percent of those who felt that their state would not pick up the full 7 cents argued that they could meet their state’s highway needs successfully by picking up less than the amount relinquished by the federal government (detailed table not shown). One reason for this is that 42 percent of those who did not believe their states would pick up the full 7 cents said that the federal gas tax is too high; under a turnback program, more efficient use of scarce resources could be accomplished, and at a lower cost in gasoline taxes. Therefore, this group of legislators should be combined with the group that selected the “pick-up-the-full-7-cent” option, because neither group believes their highway programs would suffer or be underfunded.

It can be concluded, then, that 60.8 percent of the respondents felt that their state would either pick up the full 7-cent federal excise tax on motor fuels or pick up enough to meet highway needs in their state. The majority of respondents reported that their state could perform financially at least reasonably well under a turnback proposal compared with the current system. However, a sizable minority (25.7 percent) did not expect their state to pick up the full 7 cents, nor did they believe their highway and street needs would be met without the full replacement of 7 cents. There is a slightly greater preponderance of midwestern legislators who fall into this latter category compared with other legislators (19 of the 56 midwestern legislators who responded to the survey, or 33 percent); and slightly fewer southern legislators (9 of 52, or 17 percent).

### **Legislators Believe Most States Would Probably Have Difficulty Replacing the Federal Gas Tax Immediately after Raising Their Own Taxes**

Finally, the timing of any turnback program would be an important consideration to a majority of the legislators. Slightly less than half (47.3 percent) of the respondents said that they do not believe their state could pick up the relinquished federal gasoline tax if their state had only recently raised its own gasoline tax (see *Table 16*). This assessment was shared by legislators from all regions. Fiscal committee members, however, were less inclined than other legislators to believe that recent changes in their own state gas tax would make it difficult for their state to raise the gas tax again in response to the turnback proposal.

### **Legal Issues in the Turnback Proposal**

Finally, legislators were asked to identify any financial and legal problems or impediments to the highway turnback proposal (see questions 18A

*Table 16*  
**If a Highway Turnback Were Implemented Shortly after the State Had Already Increased Its Gasoline Tax, a Higher State Gasoline Tax Intended to Pick Up Some or All of the Relinquished Federal Gas Tax Could Not Be Considered for Several Years.\***

	Majority/ Minority Leaders	Fiscal Committee Members	Local Government Committee Members	Transportation Committee Members	Total Responses
Strongly Agree	13.6	11.1	14.3	13.3	13.1
Agree	36.4	24.1	40.8	36.7	34.2
Disagree	33.3	44.4	30.6	23.3	34.2
Strongly Disagree	12.1	14.8	8.2	23.3	13.6
Don't Know/ No Response	4.5	5.6	6.1	3.3	5.0
Number of Responses	66	54	49	30	199
	<b>Northeast</b>	<b>Midwest</b>	<b>South</b>	<b>West</b>	<b>Total</b>
Strongly Agree	11.8	7.1	17.3	15.8	13.1
Agree	35.3	37.5	30.8	33.3	34.2
Disagree	29.4	42.9	32.7	29.8	34.2
Strongly Disagree	14.7	8.9	13.5	17.5	13.6
Don't Know/ No Response	8.8	3.6	5.8	3.5	5.0
Number of Responses	34	56	52	57	199

\*Question 14 in survey.

and 18B). Some 44 percent of the respondents indicated that financial considerations should be addressed in considering a turnback proposal. Only 7.4 percent of the respondents identified any legal impediments to the turnback proposal. These issues will not be explored fully here, but they are discussed more fully in a companion ACIR report to be issued later in 1987. Verbatim transcripts of those responses, however, can be found in *Appendix B*.

### Other State-Local Highway Issues

Legislators were also given the opportunity to identify any strong and weak points of state-local relations on highway matters in their state. A number of respondents identified at least one strong or weak point or elaborated on their responses to the questionnaire. Given that these responses do not lend themselves to a succinct summary, the responses (question 19 of the questionnaire) are reported verbatim in *Appendix B*.

## Conclusions

The primary purpose of this survey was to help identify key issues that might have to be addressed in implementing a devolution of non-Interstate federal-aid highway programs by gaining a better understanding of how state legislators perceive (1) the state of state-local relations in highway matters, (2) the influence of various actors on state highway policies, (3) the success of local governments in getting their road and highway needs met through the states, and (4) legislators' perceptions of how states might respond to the fiscal aspects of a major turnback.

Because the questionnaire was not sent to all members of state legislatures, responses are not presumed to represent the views of all legislators. Nevertheless, we drew a large sample for this study, and key legislators were surveyed whose involvement in state-local relations and state highway issues, and knowledge about those issues, can be regarded as crucial. Because of their positions, their views are critical to any consideration of what states might do in the event the turnback proposal is adopted by the Congress.

The results of the ACIR survey of state legislators suggest that state-local cooperation is generally perceived as satisfactory and that state-local relations are improving. A clear majority of the respondents felt that their states would either replace the full 7-cent federal excise tax on motor fuels relinquished under a turnback proposal or replace a sufficient portion of the federal gas tax to meet highway needs. Although there were some regional differences over this issue, in general these responses were characteristic of legislators from regions across the nation.

A clear minority of legislators, however, voiced concerns. Although only a few responded that state-local relations on highway matters had deteriorated during the past five years, a larger number suggested that local officials do not consult often enough with state legislators on highway matters. Also, a significant minority felt that their state would not replace or pick up the full 7-cents relinquished by the federal government under a turnback arrangement, although some legislators did not believe that it

would be necessary for their state to pick up the full 7 cents in order to meet state and local highway needs.

An important finding, however, is that transportation committee members and majority and minority leaders of the legislatures are generally more positive about the condition of state-local relations on highway matters than are other legislators. Given that transportation committee members and legislative leaders are likely to be important decisionmakers in highway matters, then the outlook for local governments under a devolution of highway programs may be better than that suggested by the overall results of the survey, because the overall results include responses from some legislators who are less closely involved in highway policymaking.

The results from this survey generally parallel those from the survey of state associations of local officials as reported in the earlier ACIR study, *Local Perspectives on State-Local Highway Consultation and Cooperation* (SR-4). From state legislators' perspectives, there is general agreement that (1) state and local governments do consult and cooperate with each other on highway matters, although room for improvement certainly exists, and (2) most states would probably raise the excise tax on motor fuels sufficiently if a non-Interstate federal-aid highway turnback proposal were implemented.



## Questionnaire

1. Name of your state: \_\_\_\_\_.

**For Each Question below,  
Please Circle the Response that Best Represents  
Your View**

2. In general, are road and highway issues more or less important in your state than other issues such as education, welfare, criminal justice, and economic development?

- |                     |                   |                     |
|---------------------|-------------------|---------------------|
| <b>1) Much more</b> | <b>3) Equally</b> | <b>5) Much less</b> |
| <b>2) More</b>      | <b>4) Less</b>    |                     |

3. Do local officials consult with state legislators on the financing, planning or construction of state roads and highways in their jurisdictions?

- |                        |                          |                      |
|------------------------|--------------------------|----------------------|
| <b>1) Very often</b>   | <b>3) Not very often</b> | <b>5) Don't know</b> |
| <b>2) Often enough</b> | <b>4) Not at all</b>     |                      |

4. Do state procedures require too much, too little, or just about enough state-local consultation on state road and highway planning and construction?

- |                        |                      |
|------------------------|----------------------|
| <b>1) Too much</b>     | <b>3) Too little</b> |
| <b>2) About enough</b> | <b>4) Don't know</b> |

5. Overall, are you satisfied with your state's procedures for local consultation in state road and highway matters?

- |                    |                      |                      |
|--------------------|----------------------|----------------------|
| <b>1) Very</b>     | <b>3) Not very</b>   | <b>5) Don't know</b> |
| <b>2) Somewhat</b> | <b>4) Not at all</b> |                      |

6. On average, how successful are *urban governments* in getting their road, highway and street needs met by the state?

- |                    |                      |                      |
|--------------------|----------------------|----------------------|
| <b>1) Very</b>     | <b>3) Not very</b>   | <b>5) Don't know</b> |
| <b>2) Somewhat</b> | <b>4) Not at all</b> |                      |



Regional (district) offices of Department of Transportation or Highways	1	2	3	4	5	6
State Budget office	1	2	3	4	5	6
Governor's office	1	2	3	4	5	6
State legislature	1	2	3	4	5	6
Transportation committees of state legislature	1	2	3	4	5	6
Finance (or appropriations) committees of state legislature	1	2	3	4	5	6
Local government committees of state legislature	1	2	3	4	5	6

## Proposed Federal Turnbacks and State Responses

In recent years there has been some discussion of turning back certain federal programs and revenue sources to the states. In the field of highways, one possibility would be for the federal government to turn over to the states responsibility for all federally aided roads and highways, except the Interstate Network, and also turn over to the states access to taxing authority for most (say, 7 cents) of the current federal gasoline tax (which is currently 9 cents per gallon). The remaining 2 cents per gallon would be used by the federal government for the Interstate highways and for mass transit. In this way, states would have the option of raising their current state gasoline taxes in order to compensate for the 7 cents relinquished by the federal government.

13. How much of the relinquished 7-cent federal gasoline tax do you believe your state would pick up or levy? (Please keep in mind that in "picking up" the relinquished gas tax, the state would have to enact its own replacement tax.)

- 1) None of the current federal gasoline tax
- 2) Some (say, 1-3 cents) of the federal gasoline tax
- 3) Most (say, 4-6 cents) of the federal gasoline tax
- 4) All (7 cents) of the federal gasoline tax
- 5) All and probably more

14. If a highway turnback were implemented shortly after the state had already increased its gasoline tax, a higher state gasoline tax intended to pick up some or all of the relinquished federal gas tax could *not* be considered for several years.

- |                   |                      |               |
|-------------------|----------------------|---------------|
| 1) Strongly agree | 3) Disagree          | 5) Don't know |
| 2) Agree          | 4) Strongly disagree |               |

15. Current state gasoline tax revenues plus some, not all, of the relinquished 7-cent federal gasoline tax would be sufficient to meet the highway needs of our state.

- |                   |                      |               |
|-------------------|----------------------|---------------|
| 1) Strongly agree | 3) Disagree          | 5) Don't know |
| 2) Agree          | 4) Strongly disagree |               |

16. The current federal gasoline tax is too high, resulting in inefficient use of resources.

1) **Strongly agree**

3) **Disagree**

5) **Don't know**

2) **Agree**

4) **Strongly disagree**

17. If the state has to raise taxes, it will likely be for programs other than highways.

1) **Strongly agree**

2) **Agree**

3) **Disagree**

4) **Strongly disagree**

5) **Don't know**

18. Some states are subject to constitutional or statutory provisions which may limit or otherwise affect the taxing, spending or borrowing activities of the state.

A. Are there any provisions of this type in your state which affect the financing of state highway and road programs? If so, please cite and briefly describe.

B. Are there any provisions of this type which would impede or otherwise affect the ability of your state to access or implement a turnback of federal gasoline taxes? If so, please cite and briefly describe.

19. What are some of the strong points of state-local relations on highway matters in your state? What are some of the weak points, or points of conflict?

## **Narrative Responses to Questions 18a, 18b, and 19**

### **QUESTION 18.**

**Some states are subject to constitutional or statutory provisions which may limit or otherwise affect the taxing, spending or borrowing activities of the state.**

**A. Are there any provisions of this type in your state which affect the financing of state highway and road programs?**

**If so, please cite and briefly describe.**

1. Tax cap is limited to equivalent of wages and salaries increase.
2. The constitutional prohibition against dedicated funds does not result in a direct relationship between higher taxes and road construction. Money goes into the general fund and is then appropriated by the legislature.
3. Gas tax must be used for highways only. All license fees and auto sales tax go to state and local highways by law.
4. Highway fund is a separate dedicated fund. Constitution prohibits deficit spending.
5. The state constitution sets limits. Amendments to allow certain cooperative agreements for local bonding will go to the voters next month.
6. The constitutionally dedicated motor fuel tax of \$0.15/gallon is adequate for most of our needs.
7. The state has a dedicated highway fund; all gas and other motor fuel taxes as well as registration and license fees are dedicated to the transportation fund.
8. Highway spending is exempt from spending limits.
9. We have a state constitutional provision requiring the use of state gas taxes on construction and maintenance of highways, streets, and roads.
10. There is a possible limit on pledged bonds. General obligation bonds must identify specific projects.
11. Public debt is limited to that which can be serviced with no more than 15 percent of average state revenues for prior two fiscal years.

12. The federal court has prohibited state agencies representing consumers affairs to intervene with prices of gasoline.
13. State has 5 percent spending cap at the county/city level. Limitation affects our ability to meet current needs.
14. The constitution has a limit on borrowing which would not allow borrowing for highway purposes.
15. Gas taxes are to be used only for highway construction and maintenance.
16. Constitution requires a balanced budget. The "affordability level" is set by a committee.
17. General obligation bonds requires voter approval. Dedicated funds are prohibited.
18. Kentucky must have a balanced budget. Kentucky has a bonding limit set by statute. Debt limit in section 49 of the constitution is \$800,000.
19. There are constitutional limitations.
20. State constitutional limit of 1 percent of total state assessed value. Resolution passed last session to increase to 2 percent required voter approval.
21. Debt is not allowed by the state, but there are ways around it.
22. Restrictions on borrowing.
23. Some taxes, such as motor fuels, motor vehicle registrations, are dedicated for highway use.
24. Motor fuels taxes and vehicle registration fees are constitutionally dedicated for roads.
25. Only a balanced budget is required.
26. Balanced budget requirement. GO bonds must be approved by a vote of the people.
27. There are some limited restrictions.
28. Constitutionally dedicated gasoline tax. There are also constitutional limits on GO bonds.
29. Indiana cannot bond for highways. There is a constitutional prohibition against going into debt.
30. Local governments have a constitutional property tax limit. The state must balance its budget in accordance with GAAP. However, New York has avoided this by bonding highway improvements. A \$1 billion transportation bond issue was approved by the public in 1985.
31. No, as long as such tax increases are voter approved.
32. Borrowing is allowed; gas tax is restricted for highway purposes only with certain administrative limitations.
33. Article 9 of the Maine Constitution stipulates that all revenues from registration, operation and use of vehicles is to be spent on highway-related matters.
34. It might affect highways at state level.
35. South doesn't have that problem even though we have limited funding.
36. State cannot go into debt. Supreme Court prohibits bond issuance for highway and bridge construction.
37. Three-fifths vote requirement for bonding.

38. Constitutional spending limitation.
39. Citizens' petitions to roll back recent \$0.05/gallon gas tax will be successful.
40. State limits borrowing to .75 percent of the bonds in any year.
41. Restrictions on bonding (Highway Bond Act). Use of debt financing as a tool to raise revenue.
42. Arizona has a constitutional debt limit of \$350 million. Highway Use Revenue Fund (HURF) is protected by constitution, i.e., it can't use HURF for public transit.
43. Connecticut is one of very few states that do not have any constitutional impediments when issuing bonds. The general assembly has the complete authority to raise or lower taxes.
44. Balanced budget amendment is in the constitution.
45. Borrowing activities are dictated by constitution on the basis of a ratio of fiscal resources to cover debt service vis-a-vis total resources of state treasury.
46. A formula limits bonding.
47. Article XIII of the California Constitution (also referred to as the "Gann spending limit") restricts state expenditures to the rate of inflation and population growth.
48. All the revenue from the vehicle registration and fuel tax go into the road fund and must be spent for construction or maintenance of highways.
49. Nebraska has a constitutional prohibition on debt issues of \$100,000; however, in 1968 voters approved a constitutional amendment authorizing limited obligation bonds (repaid by highway user revenue) for highway construction if approved by a three-fifths majority of the legislature. It has been used once thus far—\$20 million in 1969 to expedite completion of the Interstate Highway System.
50. None that we know of affecting the ability of the state to finance highway projects. However, there are statutory restrictions that affect the ability of local governments relating to the financing and construction of state-maintained highways.
51. State gas tax and 25 percent of the motor vehicle excise tax is dedicated to highway and transit programs under state statute.
52. Gas tax is dedicated to road improvement.
53. There are limits on the size of our capital budget. Last year, we established a transportation trust fund that will have limited funds also.
54. A 1 percent limit on state bonding for all capital construction (1 percent of total assessed value) is imposed.
55. Oklahoma's state highway construction program is controlled by a statutory state highway commission whose members are appointed by the governor, with senate confirmation. The individual highway commission districts are predetermined and based on several factors, including population, geography, and highway density. All state highway construction projects must be approved by a majority vote of the commission. In addition, the highway commission has the authority to hire the Director of the Oklahoma State Department of Transportation. The terms of the highway commission members run concurrent with the term of the governor.

56. Transportation revenues must be used constitutionally only by the state road fund—several statutes prohibit the transfer of revenue from specific funds to the road fund.
57. Borrowing limitations are set forth in Article X Section 9 of state constitution.
58. Three-fifths popular vote is needed to increase taxes. We have a highway trust fund.
59. In Ohio we are currently campaigning for a statewide ballot issue to amend our constitution to allow the state to issue \$1.2 billion in general obligation bonds to help local communities finance the rebuilding of their infrastructures.
60. Our constitution requires a balanced budget.
61. The state constitution mandates a balanced budget. However, we can issue bonds.
62. There is a constitutional limit on bonded indebtedness, but it is not observed as a practical matter—“revenue” bonds are issued not GO Bonds.
63. The Mississippi Constitution of 1890 limits state’s bonded indebtedness to 1.5 times revenue collections in highest fiscal year of the preceding four fiscal years.
64. State constitution limits debt not to exceed 18.5 percent of the average of past three years general revenue.
65. There is a constitutional spending limit.
66. 75 percent of vote of both houses required to raise highway revenue. Popular vote required to issue bonds.
67. Arizona Constitution limits the use of vehicle, user, gas and diesel tax receipts to highway and street purposes.
68. Only restriction is constitutional prohibition against deficit spending. An alternative is to issue bonds; this has been widely used.
69. Bonding limitations are in effect.
70. The financing of state highway and road programs is affected by Act 51 of 1951 which sets up the Michigan Transportation Fund, State Truckline Fund, and the Comprehensive Transportation Fund. The operation and expenditures are all based on the generation of revenues. The Headlee amendment also affects the taxing, spending and/or borrowing activities within the state; and of course, so does the state Department of Transportation.
71. State constitution prohibits use of gas tax proceeds for purposes other than highway projects. Therefore, all gas tax (\$0.16/gallon) revenues go directly to DOT without legislative oversight. Only the state transportation board (appointed by the governor) may designate state highway projects to receive state funding.
72. All fuel taxes must be used for highway and mass transit guideway purposes. No more than 25 percent of revenues can be used for bonding.
73. Constitution requires a balanced budget. Spending by state agencies cannot exceed the amount of the legislative appropriation. If revenue collections do not support the appropriation, the spending must be cut accordingly. State has statutorily established a state highway fund (supported by highway user revenue) which supports highway-related operations and a general fund that supports all other programs. Portions of the state highway fund are dedicated to specific highway purposes.



74. Constitutional restriction to bonding unless approval at a general election.
75. There is a constitutional debt ceiling.
76. Constitution is very restrictive.
77. Wisconsin will not allow tollways like Illinois. Tollways pay for highway improvement in Illinois.
78. Gas taxes must go to roads and bridges.
79. The current federal administration does not allow us to toll Interstate highways, such as I-80, which would allow us to make much needed repairs.
80. There are general obligation bonding limits for transportation. State constitution affects highways.
82. Our highway programs are special funded—outside the balanced budget and other constitutional strictures.
83. By state constitution, all revenue from gas tax must go for highways.
84. There is a statutory limit on transportation debt.
85. State cannot borrow.
86. There is a limit on indebtedness. There is also a special highway fund which is self-supporting and entirely responsible for highway funding.
87. Gas tax may only be used for highway.
88. There is a constitutional limit.
89. There is a debt ceiling.
90. Hawaii receives its finances from transportation special fund which is not computed as part of the spending limit.
91. We have a spending affordability statute which places voluntary limits on some aspects of the budget. It theoretically could affect distribution of highway funds to local subdivisions.
92. Bonds must be approved by vote of people.
93. There is a tax limitation which has never been implemented and may or may not apply to gas tax. It limits increases to 6 percent. Bonding is limited by constitution to 1.5 percent of revenues.
94. Gann limit on spending allows increases based only on population and inflation measure. Road needs are not exempt from the limit. There is currently an initiative that would (1) raise the limit and (2) exempt road expenditures from the limits.
95. Funding is tied only to gas tax.
96. We have a debt limitation, but we are not close to it.
97. There is a state bonding program for highway building.
98. Gann limit set ceiling on state government appropriations, including transportation. Limit has now been reached; excess revenues must be returned to the people. State constitution restricts expenditure of gasoline taxes and truck weight fees for highway and mass transit guideway purposes.

**B. Are there any provisions of this type which would impede or otherwise affect the ability of your state to access or implement a turnback of federal gasoline taxes?**

**If so, please cite and briefly describe.**

1. Picking up a majority of the turnback would not pose insurmountable political problems. The pump price is the important thing.
2. No. But it could have an impact on degree of funding for local and state projects.
3. It seems to me the federal court's intervention is a tremendous hindrance to that purpose.
4. Not at state government level. However, it would be difficult to predict what the legislature would decide. Maybe it would receive the entire \$0.07 and then give it back to the taxpayer.
5. Kentucky has biennial sessions that meet 60 days in even-numbered years. If such a turnback occurred in the summer of an even numbered year, the general assembly could not react to a turnback for 18 months unless called into a special session. For that period of time the state would have the added responsibility of federal highway mileage without additional revenue.
6. Initiative and referendum might interfere.
7. Gann spending limit would apply.
8. We would need to pass legislation. However, the great interest in improved highways would not make this difficult.
9. Ohio just passed a 2.7-cent gas tax hike to improve state roads.
10. If the constitutional spending limit is reached, new revenues from taxes could not be spent.
11. California statute would automatically raise the fuel tax by the some amount that is reduced by the federal tax so that the total state and federal fuel tax would remain the same.
12. Nothing constitutional; however, it would require legislative action.
13. There is no problem with a turnback except that we would have to immediately assume that tax as our highway fund is projected to be bankrupt by 1992.
14. California already has collected higher revenue.
15. Federal funds are not subject to the Gann limit. If the federal gas tax were turned back, it could be considered a state tax and be subject to the appropriations limit. The state would then be in the position of not being able to spend these funds. This is Legislative Counsel's and LAO's opinion.

**QUESTION 19:**

**What are some of the strong points of state-local relations on highway matters in your state?**

**What are some of the weak points, or points of conflict?**

1. The state is in the midst of completing major road reconstruction in the city of Boston which will be diverting road funds from other areas. These funds are bonded monies.
2. The state has primary responsibility for all roads in the state except for some of those inside some municipalities. Municipalities have the option of adopting

road powers and many do not. This makes it easy for our DOT to look at the big picture for planning purposes. However, sometimes there are jurisdictional quibbles between the state and the municipalities that do have streets to construct and maintain. Since state money is the primary source of funds for projects of any size, oftentimes the municipalities feel the state should go ahead and maintain these as well.

3. We are a rural state so we must retain good state-local relations. Too many miles on the state highway to support with limited population.
4. Nevada is controlled by the two large urban areas, Las Vegas and Reno, and has been very fair to the rural counties in sharing gas revenue. Weak point: The track record of DOT for performance in construction maintenance is poor. The governor abolished the transportation board this year, resulting in no monitoring, review or opportunity for local government, legislature or the public to know what is going on.
5. Generally, there is a good relationship between state and locals. Presently no complete inventory of local roads and their needs; however, one is presently being developed.
6. The weakest point was that it was hard raising highway taxes in the '70s. The roads in Pennsylvania went very bad.
7. The state's too damn big.
8. Department of Highway's regional offices provide liaison activity.
9. Strong Point: dedication of resources, gas tax, etc. Weak point: insufficient funding for local/rural roads.
10. Local government works with developers to build highways to developments but not to get downtown.
11. Weak point: Some areas of our state don't have organized townships. Some cities and counties are less committed to good roads than others or have less local taxing capacity.
12. Relations are generally good; although as a member of the ND State Senate, I have no first-hand knowledge of how the communications and coordination process works in practice. The state highway department is very accessible, their hearings and input procedures seem to work well.
13. Increasing consultation is a strong point. Local control over land use is weak and can be ignored by state.
14. Excessive central government control.
15. The strong point is communications. It results in awareness of the serious needs of better highways.
16. The greatest conflict is the formula for the division of funds between state and local government. With the limits on the local's ability to collect enough tax to meet their needs—they look to the state for the additional monies.
17. There are very few local hearings with the highway commission.
18. Maintenance and repairs.
20. I think we generally work well. Of course there are local problems with any new administration, but they usually get worked out.
21. Counties are working very well with the state on highway matters.
22. Strong points: public hearing process; EIS statements; political input process. Weak point: rural needs and representation especially politically. Anchorage

- has 50 percent of the state's population and corresponding power. No attention is given for special rural needs.
23. In general the relationship is very good. Because there are not enough funds for the many needed projects, everyone must wait their turn to be prioritized.
  24. We collect all gas taxes and remit them to the local governments by formula and thereby obtain a fair distribution of these funds to the various geographic areas.
  25. Legislation passed earlier this year places the governor in total control of state highway activities; it's too early to tell the effect, but optimism reigns.
  26. Future road plans can change when a new governor comes in every four years with his own political priorities—which might jeopardize plans unless a legislator can save the project. However, legislators and local officials work closely together to achieve local road priorities.
  27. Some monies are earmarked for local use on matching basis. Local governments are strapped for operational funds and find it difficult to come up with matching funds.
  28. Strong points: state helps cities, towns and counties get their priorities in construction and repair. Local communities feel state does not provide enough funding for their local needs.
  29. Conflict over state/local division of funds.
  30. Major problem: identifying alternative routes during road work.
  31. Rural vs. urban highway needs is a weak point.
  32. Highway planning is too centralized in the central office; too little respect for regional offices, local governments.
  33. We have a "C" Fund Account (2.66 cents of total 15-cent tax) which is handled by legislative delegation and funds city and county projects. Weakest point is that our highway commission, which is composed of representatives of the 16 judicial districts (elected by local delegations of the general assembly) is very provincial and does not consider overall needs of the state.
  34. All roads are funded by the state and fall under the state's jurisdiction. There are very few municipal streets and private streets in the state. Municipal streets are funded by the state on a formula basis.
  35. One of the strong points is the state funding for local roads and bridges with the communities having the authority to determine their own priorities for the use of funds. Weak point is that bureaucratic process is necessary to accomplish projects.
  36. Too much finger-pointing about whose responsibility is whose. Poor public relations at both local and state levels.
  37. There is constant disagreement over the distribution percentage of road use tax dollars.
  38. Let the states toll the Interstate.
  39. Close cooperation among all agencies pertaining to state and local relations and state highway agencies.
  40. The state formula for aid to local government is a good program, but there is some rivalry and disagreement between municipalities on the amount of aid.
  41. The state Transportation Improvement Plan (STIP) process enables local governments and interest groups to have a substantial impact on the final

statewide document. There is a tendency to overprogram, as the STIP is based on funds expected to be available, rather than funds that are actually available.

42. The existing formula forces both sides to visit. Neither side will give in.
43. Due to numerous changes in the top management of the Nebraska Department of Roads in the past 5 years, we have had vacillating policies. The department is currently seeking its fourth director in 5 years. There has been strong cooperation in helping counties and cities with their local projects, but many differences concerning state highway projects in local areas.
44. Auto tax revenues support education rather than roads and highway as in most other states. There really are none. There are so little dollars to fight over. We are continually losing the battles of improving highway matters because of the true lack of sufficient funding.
45. Historically, local governments have had tremendous influence with the board of transportation. Procedures have long existed that assure constant local government involvement in the identification and selection of highway projects. A point of conflict that seems to appear occasionally is the issue of urban vs. rural highway needs.
46. We have a strong planning process for priority setting of highway improvements. Current revenues are not sufficient and it has been difficult to find a consensus on future funding.
47. Strong citizen action group input concerning road matters. Problem arises due to Delaware's lack of a comprehensive, statewide planning and transportation board.
48. A weak point is the regional offices of Pennsylvania Department of Transportation; they are very political—roads are used as patronage.
49. There is an ongoing argument over responsibility and payments for local roads.
50. We are a state-funded highway system. Local city governments receive a yearly supplement.
51. Continual strife between DOT and local communities. Last session we did away with the state highway board.
52. We have an effective planning process with local involvement. Basically there are good relations between state and localities. But we have only so many state dollars to go around. Great needs are concentrated in urban areas of state.
53. A major weakness and conflict is that created by the DOT's strong control of road projects which results in their having great influence and leverage over local elected officials, which in turn creates many problems for state legislators. There is, and has been for some time, too much conflict between the house and senate because of the differing points of view concerning the Transportation Department, the speaker and lieutenant governor.
54. If our issue passes, I'm sure it will mean an even closer working relationship between state and local governments in an attempt to make our dollars go as far as they will.
55. Good state and local cooperation. Poor Kentucky counties do not have appropriate funds and properly maintained county roads.
56. The recently enacted "Local Government Assistance and Eminent Domain" bill allows the state's DOT to reimburse local governments for expenditures

related to the state highway system. This is an expansion of the list previously authorized which reimburses projects under the 80-20 matching funds program. Prior to enactment of this law, only 32 of FL's 67 counties were eligible to participate in the "Local Government Assistance Act"; 51 counties may now participate. With respect to perceived points of conflict, apparently local government officials feel that, in general, they do not have enough input in formulating DOT's 5-year plan. Officials from Florida's urban counties have expressed concern over what they feel is a lack of understanding on DOT's part regarding the transportation needs of Florida's high growth areas.

57. Identifiable roads and responsibilities. Funding for both jurisdictions.
58. Not much cooperation.
59. State helps locals reach consensus. Conflict—area transportation study policy committee. The largest urban area is often out-voted by small municipalities acting in concert within the committee. Weighted votes would help.
60. Highway User Revenue Fund (HURF) from "user fees" is distributed among the state, counties and cities and towns. 1985 legislation enables counties to order a countywide election to vote up to 0.5 percent sales tax increase for a period of not more than 20 years. This money is deposited into a Regional Area Road Fund (RARF). \$23 M annually is provided to cities and towns from the state Lottery for transportation.
61. Too many roads—not enough population. No mass transit—generally good air transportation but poor bus line routes—a matter of priority for the few funds remaining—not enough to go around.
62. NYS DOT provides adequate state-local liaison services.
63. Regional councils of governments have recently been given the power to levy 0.5-cent sales tax for road projects upon affirmative vote of taxpayers affected. Cities and counties receive 20 percent and 17 percent of gas tax revenues directly to apply to local road needs. Incredible growth rates have overtaxed all delivery systems for putting new roadways in place.
64. The ferry (marine) system is extension of the highway.
65. State consults with local governments in formulation of state highway construction programs. State and local governments work on transportation planning on a cooperative, comprehensive, and continuing basis. Sufficient funding is not available to meet highway construction needs; thus, there is strong competition for the available funds between the urban and the rural areas and of course the special interest groups.
66. Local officials often express dissatisfaction over lack of state DOT interest in researching local concerns, namely traffic flow and patterns resulting from construction and improvement projects.
67. Since the New York State thruway bridge collapse there has been increased emphasis on local bridge inspection by the state. Localities resent being told by the state DOT how to spend their highway dollars (either state aid or local revenues); they feel they know their priorities best. Even though the state feels it is acting in the best interests of the locality in the case of deficient bridges.
68. Maine is a big state with lots of roads and lots of towns. It's a big job to deal effectively with the myriad of interests and concerns expressed by local officials.
69. We give local government money from the state gas tax, known as the road and bridge fund. We distribute money back to townships, counties, and municipi-

palties that is received from sales tax on cars to be used for streets, highway, etc. In fact we send about 3.7 percent of our state revenues back to local government, school districts, etc.

70. South Dakota is a large state with a small population. We do our state share, but it is not enough. The local governments have placed much pressure on the state for larger shares of funds.
71. Highway funds do not come from GF monies which is very good. Sometimes communications break down, which is bad.
72. All roads are state; there is no county road system. Municipal streets are responsibility of municipal governments.
73. State and local people work together with private sector. Federal minimum allocation funds really help us. Turnback would mean drastic cuts in program or massive tax increases.
74. I live in the largest city in Idaho. Our legislative delegation meets regularly with local (city, county) highway director as well as state officials to discuss highway matters.
75. Most entities agree that additional monies are needed. Most believe their own problem is more important and therefore should receive a larger share of the RUTF monies.
76. Legislature and transportation committee work very closely with local governments to address local highway needs.
77. As far as I am concerned, we're putting too much money into mass transit at the expense of highway programs. This is primarily a conflict between the priorities of rural and urban legislators.
78. New York consolidated highway improvement plan (CHIPS) wherein the state contributes to the locals, dollars for local use off the state system has worked extremely well.
79. Very strong support from Chamber of Commerce working with district highway engineers.
80. Strong citizen group involvement. Lack of executive support. Disagreement as to control of the department.
81. Cooperation produces consensus. Conflict is over whether the proceeds should be shared 68:20:12 (state:county:city) or 50:30:20. Our revenue is mostly 68:20:12 but some is 50:30:20.
82. District offices work well with local governments—calming frustrations, understanding demands. State DOT is sometimes unrealistic about monetary demands. State DOT spends too much time in between steps analyzing plans. A stop light can take more than a year to get ok'd and another year to install.
83. Aggressiveness of joint highway committee.
84. Our DOT is considered one of the best in the country and does an excellent job in this area.
85. Local governments feel short-changed on the percentage of state gas taxes which they received. As a percentage, local governments have received less following the most recent (1983) state gas tax increase.
86. Strong points: movement toward more cooperative relationship; responsiveness of Maine DOT to needs of local areas in planning; technical assistance from state to local. Weak points: historic noncommunication of two levels of government; turnback of roads to locals without funding.

87. The city/county of Honolulu's highest transportation priority has been rapid transit; the state's has been completion of our interstate. This conflict is only now coming into resolution, but doubt lingers that we can afford both.
88. The people or organizations stay the same so there is good continuity and interest. Money raised with tax increase to help maintenance has been used for new construction. We need to better maintain our highways.
89. The state DOT works closely with local officials to respond to locally determined priority needs. Also, the department oversees all modes of transportation in the state and takes a consolidated approach to the transportation system. There is competition between mass transit and highway needs.
90. Maintaining good relationship. But highway needs continue to outstrip revenue with substantial motor fuel taxes.
91. There is not enough cooperation especially regarding long-term planning and financing. Jurisdictional conflicts are also a thorny issue.
92. Overlap of functions. Major problem is that tremendous member of old "private" roads that neither the state nor counties want to accept because of liability issues.
93. At present the state and local governments are studying how they can eliminate overlapping functions of the state and counties in the area of transportation.
94. In my own district we (the state legislators and county councilman) initiated a roads committee which meets about every three months and brings together the state and local roads and transit people along with concerned business and community leaders. It has really helped to pull the process together and coordinate and move along road projects.
95. We are first completing a study concerning roads and funding. It is not yet finished. We hope to arrive at an equitable division of responsibility and funding. Currently the state is responsible for state roads and interstate roads only. Local governments are responsible for all others. We divide the gasoline tax funds 25-75 percent (local:state) after certain basic deductions.
96. The major problem is weak federal and state relations, in that California collects more federal tax than it gets in return.
97. There seems to be good support for road buildup and maintenance. Segregating the transportation fund is respected by policy makers. Battle over mass transit funding results in inefficiencies.
98. We could use our fair share of the federal gas tax returned to Wisconsin. It would help our road program tremendously.
99. Most local officials have knowledge of road conditions throughout the state.
100. Local governments are frequently not united on common goals for issues with regional implications. The ability to approach the state "with one voice" strengthens the local position. Otherwise, the state may be approached by a variety of local opinions and risk alienating some or all local decisionmakers.









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# Current Members of Advisory Commission on Intergovernmental Relations

(May 1988)

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 Vacancy

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## Elected County Officials

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**Harvey Ruvin**, Metropolitan Dade County, Florida,  
 County Commission  
**Sandra Smoley**, Sacramento County, California, Board of Supervisors

## What is ACIR?

The Advisory Commission on Intergovernmental Relations (ACIR) was created by the Congress in 1959 to monitor the operation of the American federal system and to recommend improvements. ACIR is a permanent national bipartisan body representing the executive and legislative branches of Federal, state, and local government and the public.

The Commission is composed of 26 members—nine representing the federal government, 14 representing state and local government, and three representing the public. The President appoints 20—three private citizens and three federal executive officials directly and four governors, three state legislators, four mayors, and three elected county officials from slates nominated by the National Governors' Association, the National Conference of State Legislatures, the National League of Cities/U.S. Conference of Mayors, and the National Association of Counties. The three Senators are chosen by the President of the Senate and the three Representatives by the Speaker of the House of Representatives.

Each Commission member serves a two-year term and may be reappointed.

As a continuing body, the Commission addresses specific issues and problems, the resolution of which would produce improved cooperation among the levels of government and more effective functioning of the federal system. In addition to dealing with the all-important functional and structural relationships among the various governments, the Commission has extensively studied critical stresses currently being placed on traditional governmental taxing practices. One of the long-range efforts of the Commission has been to seek ways to improve federal, state, and local governmental taxing practices and policies to achieve equitable allocation of resources, increased efficiency in collection and administration, and reduced compliance burdens upon the taxpayers.

Studies undertaken by the Commission have dealt with subjects as diverse as *transportation* and as specific as *state and local taxation of out-of-state mail order sales*; as wide ranging as the *transformation in American politics* to the more specialized issue of *local revenue diversification*. In selecting items for the research program, the Commission considers the relative importance and urgency of the problem, its manageability from the point of view of finances and staff available to ACIR, and the extent to which the Commission can make a fruitful contribution toward the solution of the problem.

After selecting specific intergovernmental issues for investigation, ACIR follows a multistep procedure that assures review and comment by representatives of all points of view, all affected levels of government, technical experts, and interested groups. The Commission then debates each issue and formulates its policy position. Commission findings and recommendations are published and draft bills and executive orders developed to assist in implementing ACIR policy recommendations.