



House of Representatives

General Assembly

File No. 389

January Session, 2015

House Joint Resolution No. 62

House of Representatives, April 1, 2015

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the joint resolution ought to be adopted.

RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT TO REQUIRE CERTAIN MONEYS TO BE DEPOSITED IN THE SPECIAL TRANSPORTATION FUND AND TO LIMIT THE USE OF MONEYS IN SAID FUND.

Resolved by this Assembly:

1 Section 1. That the following be proposed as an amendment to the
2 Constitution of the State, which, when approved and adopted in the
3 manner provided by the Constitution, shall, to all intents and
4 purposes, become a part thereof:

5 Article third of the Constitution is amended by adding section 19 as
6 follows:

7 Sec. 19. The general assembly shall direct the resources of the
8 Special Transportation Fund solely for transportation purposes. All
9 funds, moneys and receipts of the state required to be credited,
10 deposited or transferred to said fund by state law on or after the
11 effective date of this amendment shall continue to be credited,
12 deposited or transferred to the Special Transportation Fund, except as

13 necessary for the direct payment of debt service on special tax
14 obligations of the state incurred for transportation purposes. The
15 general assembly shall not use or transfer any moneys contained in the
16 Special Transportation Fund for any expenditure or purpose not
17 related to transportation.

18 RESOLVED: That the foregoing proposed amendment to the
19 Constitution be continued to the next session of the General Assembly
20 elected at the general election to be held on November 8, 2016, and
21 published with the laws passed at the present session, or be presented
22 to the electors at the general election to be held on November 8, 2016,
23 whichever the case may be, according to article sixth of the
24 amendments to the Constitution. The designation of said proposed
25 amendment to be used on the ballots at such election shall be "Shall the
26 Constitution of the State be amended to ensure (1) that all sources of
27 funds required to be deposited in the Special Transportation Fund
28 continue to be deposited in such fund or be used to pay the debts of
29 the state incurred for transportation purposes, and (2) that all money
30 contained in the Special Transportation Fund be used solely for
31 transportation purposes?"

TRA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 16 \$ | FY 17 \$ |
|------------------------|-------------|----------|----------|
| Secretary of the State | GF - Cost | None | 5,000 |

Note: GF=General Fund

Municipal Impact: None

Explanation

This resolution proposes an amendment to the State Constitution to restrict the use of funds in the Special Transportation Fund and require continued deposits into said fund. The Secretary of the State is anticipated to incur a cost of \$5,000 in FY 17 (for the November 2016 election) for providing posters with the proposed constitutional amendment question and explanation to each polling place in every municipality. The FY 17 cost may be shifted into FY 19 pursuant to the requirements of the constitutional amendment process.

This cost will cover the printing and mailing of the posters. Since all materials required for placing a constitutional amendment on the ballot are supplied by the State, and the vote will occur in a regularly scheduled statewide election, no costs will be incurred by municipalities.

The Out Years

The cost identified above is one-time. However, the FY 17 cost may be shifted into FY 19 pursuant to the requirements of the constitutional amendment process, as noted above.

OLR Bill Analysis**HJ 62*****RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT TO REQUIRE CERTAIN MONEYS TO BE DEPOSITED IN THE SPECIAL TRANSPORTATION FUND AND TO LIMIT THE USE OF MONEYS IN SAID FUND.*****SUMMARY:**

The resolution proposes a constitutional amendment that:

1. requires the legislature to direct the resources of the Special Transportation Fund (STF) only for transportation purposes;
2. requires that all funds required by law to be deposited into the STF on or after the amendment's effective date continue to be deposited there, except as necessary to pay debt service on special tax obligations incurred for transportation purposes; and
3. prohibits the legislature from using or transferring any STF funds for any purpose not related to transportation.

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to ensure (1) that all sources of funds required to be deposited in the Special Transportation Fund continue to be deposited in such fund or be used to pay the debts of the state incurred for transportation purposes, and (2) that all money contained in the Special Transportation Fund be used solely for transportation purposes?"

EFFECTIVE DATE: If the resolution passes by at least three-fourths of the membership of each house of the General Assembly, it will be placed on the 2016 general election ballot. If it passes by a majority of the membership of each house but less than three-fourths, it will be

referred to the 2017 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2018 general election ballot. If a majority of those voting in any one of these general elections approves the amendment, it will become part of the state constitution.

BACKGROUND

Special Transportation Fund

By law, the STF pays for state highway and public transportation projects. It is supported by a number of revenue streams, including the motor fuels tax, motor carrier road tax, petroleum products gross earnings tax, certain motor vehicle receipts and fees, (e.g., driver's license fees), and surcharges on motor vehicle related fines and penalties (CGS § 13-59 et seq.).

By law, money in the fund must be used first for debt service on special tax obligation bonds and to pay for certain transportation projects. Remaining funds must be spent to pay general obligation bonds issued for transportation projects and budget appropriations for the departments of transportation and motor vehicles (CGS § 13b-69).

Related Bills and Resolutions

HJ 63, HB 6857, and SB 937, all favorably reported by the Transportation Committee, contain similar provisions to require all STF funds to be used only for transportation purposes.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 31 Nay 0 (03/18/2015)