



General Assembly

**Amendment**

**December Special Session, 2015**

**LCO No. 9882**



Offered by:

REP. KLARIDES, 114<sup>th</sup> Dist.  
REP. CANDELORA, 86<sup>th</sup> Dist.  
REP. HOYDICK, 120<sup>th</sup> Dist.  
REP. MINER, 66<sup>th</sup> Dist.  
REP. O'NEILL, 69<sup>th</sup> Dist.

To: House Joint Resolution No. 304    File No.                      Cal. No.

**"RESOLUTION PROPOSING A STATE CONSTITUTIONAL  
AMENDMENT TO PROTECT TRANSPORTATION FUNDS."**

1        Strike everything after the enacting clause and substitute the  
2        following in lieu thereof:

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

7        Article third of the Constitution is amended by adding section 19 as  
8        follows:

9        Sec. 19. a. The Special Transportation Fund shall remain a perpetual  
10       fund. The general assembly shall direct the resources of said fund

11 solely for transportation purposes, including the payment of debt  
12 service on obligations of the state incurred for transportation purposes.  
13 Sources of funds, moneys and receipts of the state credited, deposited  
14 or transferred to the Special Transportation Fund by state law or  
15 otherwise designated by the general assembly to support said fund on  
16 or after the effective date of this amendment shall be credited,  
17 deposited or transferred to said fund, so long as such sources are  
18 authorized by statute to be collected or received by the state, or any  
19 officer thereof, and such sources shall not be redirected, decreased or  
20 otherwise allocated. The general assembly shall enact no law  
21 authorizing the resources of said fund to be expended other than for  
22 transportation purposes.

23 b. Original jurisdiction is vested in the supreme court to be  
24 exercised on the petition of any resident of the state whereby said  
25 court may compel the general assembly, by mandamus or otherwise,  
26 to perform its duty.

27 RESOLVED: That the foregoing proposed amendment to the  
28 Constitution be continued to the next session of the General Assembly  
29 elected at the general election to be held on November 8, 2016, and  
30 published with the laws passed at the present session, or be presented  
31 to the electors at the general election to be held on November 8, 2016,  
32 whichever the case may be, according to article sixth of the  
33 amendments to the Constitution. The designation of said proposed  
34 amendment to be used on the ballots at such election shall be "Shall the  
35 Constitution of the State be amended to ensure (1) that all moneys  
36 contained in the Special Transportation Fund be used solely for  
37 transportation purposes, including the payment of debts of the state  
38 incurred for transportation purposes, (2) that sources of funds  
39 deposited in the Special Transportation Fund be deposited in said fund  
40 and shall not be redirected, decreased or otherwise allocated, and (3)  
41 that the supreme court be vested with original jurisdiction to take  
42 action to effectuate this proposed amendment?"