



General Assembly

**House Joint
Resolution No. 35**

February Session, 2016

LCO No. 2009



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

**RESOLUTION PROPOSING AN AMENDMENT TO THE
CONSTITUTION OF THE STATE TO PROTECT TRANSPORTATION
FUNDS.**

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. a. The Special Transportation Fund shall remain a perpetual
8 fund. The general assembly shall direct the resources of said fund be
9 expended solely for transportation purposes, including the payment of
10 debt service on obligations of the state incurred for transportation
11 purposes. All sources of funds, moneys and receipts of the state
12 required to be credited, deposited or transferred to said fund by state
13 law on or after the effective date of this amendment shall continue to
14 be credited, deposited or transferred to the Special Transportation

15 Fund, so long as such sources are authorized by statute to be collected
16 or received by the state, or any officer thereof. The general assembly
17 shall enact no law authorizing such sources to be redirected, decreased
18 or otherwise allocated or the resources of said fund to be expended
19 other than for transportation purposes and the payment of debt service
20 on obligations of the state incurred for transportation purposes.

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

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