

**CS FOR HOUSE JOINT RESOLUTION NO. 19 (JUDICIARY)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 5/6/92**

**Referred: Finance**

**Sponsor(s): HOUSE TRANSPORTATION COMMITTEE**

**A RESOLUTION**

1 **Proposing amendments to the Constitution of the State of Alaska creating a transportation**  
2 **fund.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** Article IX, sec. 7, Constitution of the State of Alaska, is repealed and readopted to read:

5           **SECTION 7. DEDICATED FUNDS PROHIBITED.** The proceeds of any State tax or  
6 license shall not be dedicated to any special purpose. This provision shall not prohibit the  
7 continuance of any dedication for special purposes existing on April 24, 1956, and shall not  
8 prohibit the dedication of revenue under Section 15 or Section 18 of this article or when required  
9 by the federal government for State participation in federal programs.

10 \* **Sec. 2.** Article IX, Constitution of the State of Alaska, is amended by adding a new section to read:

11           **SECTION 18. TRANSPORTATION FUND.** (a) The revenue received after June 30,  
12 1993, from State licenses and fees for the registration, operation, and use of motor vehicles,  
13 aircraft, and watercraft, from the use of State transportation facilities, and from State taxes on  
14 fuel used for the propulsion of motor vehicles, aircraft, and watercraft, less refunds, credits, and  
15 fee collection costs as provided by law, shall be placed in a transportation fund. Except as  
16 provided in (d) - (e) of this section, the legislature may make appropriations from the fund only

1 for

2 (1) the maintenance and operation of a state or local government facility,  
3 including a road, that relates to the mode of transportation from which the revenue was collected,  
4 and, with regard to revenue obtained from watercraft, also for the improvement and construction  
5 of harbor facilities, including the improvement but not the construction of roads; or

6 (2) the administration and enforcement of motor vehicle laws.

7 (b) This section does not apply to a tax, license, or fee that the State collects on behalf  
8 of a local government; or to revenue received by a public corporation whose revenue must by  
9 federal law be retained and managed by the corporation. To the extent required by law or by the  
10 covenants for the bond, this section does not apply to revenue received from the use or operation  
11 of a facility constructed with bond proceeds.

12 (c) The legislature shall provide by law for the management and investment of the fund  
13 balance. The income earned from the fund shall be deposited into the fund.

14 (d) If revenue placed in the fund cannot be attributed to a particular mode of  
15 transportation or is attributable to more than one mode of transportation, the legislature may  
16 appropriate that revenue for any transportation purpose that the legislature considers appropriate.

17 (e) An appropriation from the fund for any public purpose may be made upon an  
18 affirmative vote of three-fourths of the members of each house of the legislature.

19 \* Sec. 3. The amendments proposed by this resolution shall be placed before the voters of the state  
20 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and  
21 the election laws of the state.