

HOUSE JOINT RESOLUTION NO. 10
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE PHILLIPS

Introduced: 1/11/93

Referred: Transportation, Judiciary, Finance

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska creating a**
2 **transportation 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 amended to read:

5 **SECTION 7. DEDICATED FUNDS.** The proceeds of any State [STATE] tax
6 or license shall not be dedicated to any special purpose, except as provided in Section
7 15 **and Section 18** of this article or when required by the federal government for State
8 [STATE] participation in federal programs. This provision shall not prohibit the
9 continuance of any dedication for special purposes existing **on April 24, 1956** [UPON
10 THE DATE OF RATIFICATION OF THIS SECTION BY THE PEOPLE OF
11 ALASKA].

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

14 **SECTION 18. TRANSPORTATION FUND.** (a) The revenue received after
15 June 30, 1995, from State licenses and fees for the registration, operation, and use of
16 motor vehicles, aircraft, and watercraft, from the use of State transportation facilities,

1 and from State taxes on fuel used for the propulsion of motor vehicles, aircraft, and
2 watercraft, less refunds, credits, and collection costs as provided by law, shall be
3 placed in a transportation fund. The legislature may use the transportation fund
4 balance to enhance or supplement, but not to replace, money in the treasury available
5 for transportation facilities, and make appropriations from the fund only for

6 (1) the maintenance and operation of a State or local government
7 facility, including a road, that relates to the mode of transportation from which the
8 revenue was collected, including the improvement of existing facilities and roads, but
9 not for new construction;

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

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

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

20 (d) If revenue placed in the fund cannot be attributed to a particular mode of
21 transportation, the legislature may appropriate that revenue for any transportation
22 purpose that the legislature considers appropriate. If revenue placed in the fund is
23 attributable to more than one mode of transportation, the legislature may appropriate
24 that revenue for a transportation purpose related to one or more of those modes as the
25 legislature considers appropriate. Except for the requirement that an appropriation
26 from the fund relate only to the mode of transportation from which the revenue was
27 collected, the limitations on the uses of the transportation fund balance imposed by (a)
28 of this section also apply to appropriations authorized by this subsection.

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