

HOUSE JOINT RESOLUTION NO. 19

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/22/93

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4 *** Section 1.** Article IX, sec. 7, Constitution of the State of Alaska, is repealed and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

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

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 including the State ferry system, and from State taxes on fuel used in and on
2 watercraft and for the propulsion of motor vehicles and aircraft, less refunds or credits,
3 and costs of collection, for State taxes on fuel as provided by law, and less costs for
4 collection of revenue from the licenses and fees as provided by law, shall be placed
5 in a transportation fund. Except as provided in (d) of this section, the legislature may
6 appropriate money from the fund only for

7 (1) the maintenance and operation of a State or local government
8 transportation facility if the facility is related to the mode of transportation from which
9 the tax, license, or fee revenue to be appropriated was originally received;

10 (2) the improvement and construction of harbor facilities if the tax,
11 license, or fee revenue to be appropriated was originally received from the use of
12 watercraft;

13 (3) the administration and enforcement of motor vehicle laws.

14 (b) This section does not apply to

15 (1) revenue received from taxes, licenses, or fees that the State collects
16 on behalf of a local government;

17 (2) revenue received by a public corporation whose revenue must by
18 federal law be retained and managed by the corporation;

19 (3) revenue received from the use or operation of a transportation
20 facility constructed with bond proceeds to the extent that law or bond covenants
21 require that the revenue be used for other purposes.

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

25 (d) An appropriation from the fund for a public purpose other than one
26 described in (a)(1) - (3) of this section may be made upon an affirmative vote of three-
27 fourths of the members of each house of the legislature.

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