

FIRST REGULAR SESSION

HOUSE BILL NO. 734

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES OSTMANN, LUETKEMEYER, CRAWFORD, CROWELL,
NAEGER, REINHART (Co-sponsors), PHILLIPS, BYRD, HENDRICKSON, LEVIN,
HENDERSON, BEARDEN, SECREST, COOPER, HUNTER, LONG, MYERS, BARTELSMEYER,
CIERPIOT, ENZ, DEMPSEY AND HANAWAY.

Read 1st time February 12, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

0190L.011

AN ACT

To repeal section 226.200, RSMo 2000, relating to expenditures by the department of transportation, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 226.200, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 226.200, to read as follows:

226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

- (1) Money arising from the sale of bonds;
- (2) Money received from the United States government; or
- (3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid or credited the cost:

- (1) Of collection of all said state revenue derived from highway users as an incident to

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 their use or right to use the highways of the state;

17 (2) Of maintaining the state highways and transportation commission;

18 (3) Of maintaining the state transportation department;

19 (4) Of any workers' compensation for state transportation department employees;

20 (5) Of the share of the transportation department in any retirement program for state
21 employees, only as may be provided by law; and

22 (6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

23 3. [For all future fiscal years, the total amount of appropriations from the state highways
24 and transportation department fund for all state offices and departments shall not exceed the total
25 amount appropriated for such offices and departments from said fund for fiscal year 2001.] **The
26 total amount of appropriations from the state highways and transportation department
27 fund for all state offices and departments and for any purpose not related directly to the
28 constructing and maintaining of an adequate system of connected state highways shall be
29 reduced in fiscal year 2002 by one-third of the fiscal year 2001 level of such appropriations;
30 and shall be further reduced in fiscal year 2003 by one-third of the fiscal year 2001 level
31 of such appropriations; and shall be further reduced in fiscal year 2004 by one-third of the
32 fiscal year 2001 level of such appropriations; and shall as a result be reduced to zero in
33 fiscal year 2005.**

34 4. The provisions of subsection 3 of this section shall not apply to appropriations from
35 the state highways and transportation department fund to the highways and transportation
36 commission and the state transportation department or to appropriations to the office of
37 administration for department of transportation employee fringe benefits and OASDHI payments,
38 or to appropriations to the department of revenue for motor vehicle fuel tax refunds under
39 chapter 142, RSMo, or to appropriations to the department of revenue for refunds or
40 overpayments or erroneous payments from the state highways and transportation department
41 fund.

42 5. All interest earned upon the state highways and transportation department fund shall
43 be deposited in and to the credit of such fund.

44 6. Any balance remaining in said fund after payment of said costs shall be transferred
45 to the state road fund.

46 7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any
47 funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo,
48 after April 1, 1992, shall not be used for administrative purposes or administrative expenses of
49 the transportation department.