

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 45

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES YATES (Sponsor), ERVIN, PRATT, PORTWOOD, GUEST,
WILSON (130), BAKER, DUSENBERG, STEVENSON, LEMBKE, SMITH (118), SANDER,
DOUGHERTY, MOORE, HOBBS, MYERS, MUNZLINGER AND PHILLIPS (Co-sponsors).

Read 1st time January 12, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3624L.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 30(b) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to transportation revenues.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next
2 following the first Monday in November, 2004, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to article IV of the Constitution of the state of
5 Missouri:

Section A. Section 30(b), article IV, Constitution of Missouri, is repealed and one new
2 section adopted in lieu thereof, to be known as section 30(b), to read as follows:

Section 30(b). 1. For the purpose of constructing and maintaining an adequate system
2 of connected state highways all state revenue derived from highway users as an incident to their
3 use or right to use the highways of the state, including all state license fees and taxes upon motor
4 vehicles, trailers and motor vehicle fuels, and upon, with respect to, or on the privilege of the
5 manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor
6 vehicles and trailers, except as hereinafter provided, and all property taxes), less the cost (1) of
7 collection thereof, (2) of maintaining the highway related activities of the highways and
8 transportation commission and department including any workers' compensation and retirement
9 programs, (3) and of administering and enforcing any state motor vehicle laws or traffic

10 regulations, and less refunds and that portion of the fuel tax revenue to be allocated to counties
11 and to cities, towns and villages under section 30(a) of Article IV of this Constitution, shall be
12 credited to the state road fund and stand appropriated without legislative action for the following
13 purposes, and no other:

14 First, to the payment of the principal and interest on any outstanding state road bonds.

15 Second, any balance in excess of the amount necessary to meet the payment of the
16 principal and interest of any state road bonds for the next succeeding twelve months shall be
17 credited to the state road fund and shall be expended under the supervision and direction of the
18 commission for the following purposes:

19 (1) To complete and widen or otherwise improve and maintain the state system of
20 highways heretofore designated and laid out under existing laws;

21 (2) To reimburse the various counties and other political subdivisions of the state, except
22 incorporated cities and towns, for money expended by them in the construction or acquisition
23 of roads and bridges now or hereafter taken over by the state as permanent parts of the system
24 of state highways, to the extent of the value to the state of such roads and bridges at the time
25 taken over, not exceeding in any case the amount expended by such counties and subdivisions
26 in the construction or acquisition of such roads and bridges, except that the highways and
27 transportation commission may, in its discretion, repay, or agree to repay, any cash advanced by
28 a county or subdivision to expedite state road construction or improvement;

29 (3) In the discretion of the commission to locate, relocate, establish, acquire, construct
30 and maintain the following:

31 (a) supplementary state highways and bridges in each county of the state as hereinafter
32 provided;

33 (b) state highways and bridges in, to and through state parks, public areas and
34 reservations, and state institutions now or hereafter established, and connect the same with the
35 state highways; and also national, state or local parkways, travelways, tourways, with
36 coordinated facilities;

37 (c) any tunnel or interstate bridge or part thereof, where necessary to connect the state
38 highways of this state with those of other states;

39 (d) any highway within the state when necessary to comply with any federal law or
40 requirement which is or shall become a condition to the receipt of federal funds;

41 (e) any highway in any city or town which is found necessary as a continuation of any
42 state or federal highway, or any connection therewith, into and through such city or town; and

43 (f) additional state highways, bridges and tunnels, outside the corporate limits of cities
44 having a population in excess of one hundred fifty thousand, either in congested traffic areas of
45 the state or where needed to facilitate and expedite the movement of through traffic.

46 (4) To acquire materials, equipment and buildings necessary for the purposes herein
47 described; and

48 (5) For such other purposes and contingencies relating and appertaining to the
49 construction and maintenance of such highways and bridges as the highways and transportation
50 commission may deem necessary and proper.

51 2. One-half of the proceeds from the state sales tax on all motor vehicles, trailers,
52 motorcycles, mopeds and motortricycles shall be dedicated for highway and transportation use
53 and shall be distributed as follows: ten percent to the counties, fifteen percent to the cities, one
54 percent to the state transportation fund, which is hereby created to be used in a manner provided
55 by law and seventy-four percent to the state road fund. The amounts distributed shall be
56 allocated as provided in section 30(a) of this article, to be used for highway and transportation
57 purposes.

58 3. Notwithstanding the provisions of subsection 1 of this section, any increase in state
59 license fees and taxes on motor vehicles, trailers, motorcycles, mopeds and motortricycles over
60 and above those in effect upon adoption of this section shall be distributed as follows: ten
61 percent to the counties, fifteen percent to the cities and seventy-five to the state road fund. The
62 amounts distributed shall be allocated as provided in section 30(a) of this article, to be used for
63 highway and transportation purposes.

64 **4. Notwithstanding the provisions of subsection 1 of this section, beginning the first**
65 **fiscal year following adoption of this provision, the amount of state revenues derived from**
66 **highway users as an incident to their use or right to use the highways of the state, which**
67 **are appropriated to state offices and departments, except for the state highway patrol, to**
68 **cover the costs described in subsection 1 of this section, shall be reduced to zero.**

69 **5. The department of highways and transportation and the office of administration**
70 **shall determine all new state revenue derived from highway users which results from**
71 **action of the general assembly or voter-approved measures taken after January 1, 2005,**
72 **and all projects funded in whole or in part from such new state revenue. The**
73 **commissioner of administration shall review on a regular basis all such projects and shall,**
74 **upon determination that not more than eighty percent of any such project has been**
75 **completed within five years of the project's initial approval, report to the general assembly**
76 **and notify the director of revenue, who shall cease collections of the new state revenue**
77 **attributable to that project within sixty calendar days of such notification.**