State of Wisconsin
2013 – 2014 LEGISLATURE

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SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY JOINT RESOLUTION 2

February 20, 2013 – Offered by Senators T. CULLEN, WIRCH, RISSER, C. LARSON, HANSEN, HARRIS, LEHMAN and ERPENBACH.

To renumber section 9 of article IV; and ***to create*** section 9 (2) of article IV and section 11 of article VIII of the constitution; **relating to:** creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund; and prohibiting transfers from the general fund to the transportation fund (first consideration).

Resolved by the senate, the assembly concurring, That:

SECTION 1. Section 9 of article IV of the constitution is renumbered section 9 (1) of article IV.

SECTION 2. Section 9 (2) of article IV of the constitution is created to read:

[Article IV] Section 9 (2) The legislature shall provide by law for the establishment of a department of transportation and a transportation fund.

SECTION 3. Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11. All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges, and from taxes and fees levied or imposed for aircraft, airline property, or aviation fuel or for railroads or railroad property shall be deposited only into the transportation fund or with a trustee for the benefit of the department of transportation or the holders of transportation–related revenue bonds, except for collections from taxes or fees in existence on December 31, 2010, that were not being deposited in the transportation fund on that date. None of the funds collected or received by the state from any source and deposited into the transportation fund shall be lapsed, further transferred, or appropriated to any program that is not directly administered by the department of transportation in furtherance of the department's responsibility for the planning, promotion, and protection of all transportation systems in the state except for programs for which there was an appropriation from the transportation fund on December 31, 2010. No money shall be transferred from the general fund to the transportation fund. In this section, the term "motor vehicle" does not include any all–terrain vehicles, snowmobiles, or watercraft.

SECTION 4. Numbering of new provision. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

(END)