

2011 DRAFTING REQUEST

Senate Joint Resolution

Received: **01/19/2011**

Received By: **smiller**

Wanted: **As time permits**

Companion to LRB:

For: **Randy Hopper (608) 266-5300**

By/Representing: **Matt Phillips**

May Contact:

Drafter: **smiller**

Subject: **Constitutional Amendments**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Hopper@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Create Transportation Fund; Deposit of Certain Funds

Instructions:

See 1135

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 01/19/2011	wjackson 01/24/2011		_____			
/1	smiller 04/01/2011	kfollett 04/01/2011	mduchek 01/24/2011	_____	lparisi 01/24/2011		
/2			rschluet 04/01/2011	_____	lparisi 04/01/2011	lparisi 04/05/2011	

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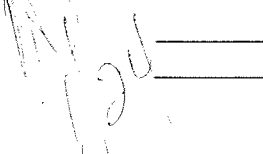
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/?	smiller	1 WLj 1/24		_____	_____	_____	_____
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FE Sent For:

<END>



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2011 SENATE JOINT RESOLUTION

in 1-19

Gen Cat.

1 **Relating to:** creation of a department of transportation, creation of a transportation
2 fund, and deposit of funds into the transportation fund (first consideration).

Analysis by the Legislative Reference Bureau

Currently, the revenues generated by use of the state transportation system may be deposited into any fund as provided by law. This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires that such revenues be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

Resolved by the senate, the assembly concurring, That:

Be it further resolved, That

3
4
5 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section (9)
6 (1) of article IV.

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

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

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

4 [Article VIII] Section 11. All funds collected by the state from any taxes or fees
5 levied or imposed for the licensing of motor vehicle operators, for the titling,
6 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of
7 roadways, highways, or bridges shall be deposited only into the transportation fund
8 or with a trustee for the benefit of the department of transportation or the holders
9 of transportation-related revenue bonds. None of the funds collected or received by
10 the state from any source and deposited into the transportation fund shall be lapsed,
11 further transferred, or appropriated to any program that is not directly administered
12 by the department of transportation in furtherance of the department's
13 responsibility for the planning, promotion, and protection of all transportation
14 systems in the state except funds that were already lapsed, transferred, or
15 appropriated from the transportation fund as of December 31, 2010. In this section,
16 the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or
17 watercraft.

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

22 ***Be it further resolved, That*** this proposed amendment be referred to the
23 legislature to be chosen at the next general election and that it be published for 3
24 months previous to the time of holding such election.

25 (END)



2011 SENATE JOINT RESOLUTION

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

Analysis by the Legislative Reference Bureau

Currently, the revenues generated by use of the state transportation system may be deposited into any fund as provided by law. This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires that such revenues be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

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6 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section (9)
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2 establishment of a department of transportation and a transportation fund.

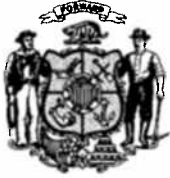
3 **SECTION 3.** Section 11 of article VIII of the constitution is created to read:

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5 levied or imposed for the licensing of motor vehicle operators, for the titling,
6 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of
7 roadways, highways, or bridges shall be deposited only into the transportation fund
8 or with a trustee for the benefit of the department of transportation or the holders
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10 the state from any source and deposited into the transportation fund shall be lapsed,
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12 by the department of transportation in furtherance of the department's
13 responsibility for the planning, promotion, and protection of all transportation
14 systems in the state except funds that were already lapsed, transferred, or
15 appropriated from the transportation fund as of December 31, 2010. In this section,
16 the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or
17 watercraft.

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19 amendment ratified by the people creates the number of any provision created in this
20 joint resolution, the chief of the legislative reference bureau shall determine the
21 sequencing and the numbering of the provisions whose numbers conflict.

22 ***Be it further resolved, That*** this proposed amendment be referred to the
23 legislature to be chosen at the next general election and that it be published for 3
24 months previous to the time of holding such election.

25 (END)



LPS: ~~****~~ This needs to be redrafted from 11-0436/3 to 1117/2



LRB-0436/3

SRM:kjt:jl

SRM:lgf

SENATE
2011 ASSEMBLY JOINT RESOLUTION

in 4-1

Reger

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

Analysis by the Legislative Reference Bureau

Currently, the revenues generated by use of the state transportation system may be deposited into any fund as provided by law. This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires that such revenues be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

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2 establishment of a department of transportation and a transportation fund.

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5 levied or imposed for the licensing of motor vehicle operators, for the titling,
6 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of
7 roadways, highways, or bridges, and from taxes and fees levied or imposed for
8 aircraft, airline property, or aviation fuel or for railroads or railroad property shall
9 be deposited only into the transportation fund or with a trustee for the benefit of the
10 department of transportation or the holders of transportation-related revenue
11 bonds, except for collections from taxes or fees in existence on December 31, 2010,
12 that were not being deposited in the transportation fund on that date. None of the
13 funds collected or received by the state from any source and deposited into the
14 transportation fund shall be lapsed, further transferred, or appropriated to any
15 program that is not directly administered by the department of transportation in
16 furtherance of the department's responsibility for the planning, promotion, and
17 protection of all transportation systems in the state except for programs for which
18 there was an appropriation from the transportation fund on December 31, 2010. In
19 this section, the term "motor vehicle" does not include any all-terrain vehicles,
20 snowmobiles, or watercraft.

21 **SECTION 4. Numbering of new provision.** If another constitutional
22 amendment ratified by the people creates the number of any provision created in this
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