



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2013 Assembly Joint Resolution 2**

**Assembly Amendment 1**

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### **2013 Assembly Joint Resolution 2**

2013 Assembly Joint Resolution 2 proposes to amend the Wisconsin Constitution to require that the revenues generated by specified uses of the state transportation system be deposited into a transportation fund, and that funds in the transportation fund may not be lapsed, further transferred, or used for 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. Certain existing uses of transportation fund dollars that do not meet the latter requirement may continue. The joint resolution further provides that the Legislature is required to establish, by law, a department of transportation and a transportation fund.

A proposed constitutional amendment requires adoption by two successive legislatures and ratification by the people before it can become effective. If the Legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional amendment and must determine the question or questions to appear on the ballot.

The ballot question in Assembly Joint Resolution 2 asks whether the Wisconsin Constitution should be amended "to create a department of transportation and a transportation fund and require all revenues generated by the state transportation system to be deposited into the transportation fund."

### **Assembly Amendment 1 to Assembly Joint Resolution 2**

Assembly Amendment 1 to Assembly Joint Resolution 2 amends the ballot question to omit the language referring to "creating" a department of transportation and a transportation fund. Instead, it asks whether the Constitution should be amended "to require that the revenues generated by use of the state transportation system be deposited into a transportation fund administered by a department of transportation for the exclusive purpose of funding Wisconsin's transportation systems and to prohibit any transfers or lapses from this fund."

**Legislative History**

The Assembly Committee on Transportation offered Assembly Amendment 1 to Assembly Joint Resolution 2 on January 29, 2013. On the same day, the Assembly Committee on Transportation unanimously recommended adoption of Assembly Amendment 1 and passage of Assembly Joint Resolution 2, as amended.

DM:jal