

CONSTITUTIONAL JOINT RESOLUTIONS 2013–2014

No. 1 Relating to: creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund (second consideration).

No. 27 Relating to: election of chief justice (first consideration).

2013 Joint Resolution 1

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 (second consideration).

Whereas, the 2011 legislature in regular session considered a proposed amendment to the constitution in 2011 Senate Joint Resolution 23, which became 2011 Enrolled Joint Resolution 4, and agreed to it by a majority of the members elected to each of the two houses, which proposed amendment reads as follows:

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. In this section, the term "motor vehicle" does not include any all-terrain vehicles, snowmobiles, or watercraft.

Section 1. **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.

Now, therefore, be it resolved by the assembly, the senate concurring, That the foregoing proposed amendment to the constitution is agreed to by the 2013 legislature; and, be it further

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the Tuesday after the first Monday in November 2014; and, be it further

Resolved, That the question concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: "Creation of a Transportation Fund. Shall section 9 (2) of article IV and section 11 of article VIII of the constitution be created to require that 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?"

2013 Joint Resolution 16

To amend section 4 (2) of article VII of the constitution; **relating to:** election of chief justice (first consideration).

Resolved by the senate, the assembly concurring, That:

Section 1. Section 4 (2) of article VII of the constitution is amended to read:

[Article VII] Section 4 (2) ~~The justice having been longest a continuous member of said court, or in case 2 or more such justices shall have served for the same length of time, the justice whose term first expires, shall be the chief justice. The chief justice of the supreme court shall be elected for a term of 2 years by a majority of the justices then serving on the court.~~ The justice so designated as chief justice may, irrevocably, decline to serve as chief justice or resign as chief justice but continue to serve as a justice of the supreme court.

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.