

HOUSE JOINT RESOLUTION FFF

May 5, 2010, Introduced by Rep. Opsommer and referred to the Committee on Transportation.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article IX, to provide for the use of certain revenues for transportation purposes.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for the use of certain revenues for transportation purposes, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IX

Sec. 9. All specific taxes, except general sales and use taxes and regulatory fees, imposed directly or indirectly on fuels sold or used to propel motor vehicles upon highways and to propel

1 aircraft and on registered motor vehicles and aircraft shall, after
2 the payment of necessary collection expenses, be used exclusively
3 for transportation purposes as set forth in this section. **ALL**
4 **REVENUES RECEIVED BY THE STATE TRANSPORTATION DEPARTMENT OR OTHER**
5 **PUBLIC BODY NAMED IN A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT**
6 **CONTRACT AUTHORIZED UNDER THE LAW SHALL BE USED EXCLUSIVELY FOR**
7 **TRANSPORTATION PURPOSES AND FOR CONSTRUCTION AND MAINTENANCE OF**
8 **TRANSPORTATION INFRASTRUCTURE, OR FOR THE REPAYMENT OF BONDS AS**
9 **APPLICABLE, AND SHALL NOT BE USED FOR THE OVERHEAD COSTS OF THE**
10 **STATE TRANSPORTATION DEPARTMENT OR FOR NON-TRANSPORTATION-RELATED**
11 **PURPOSES. SPECIFIC REVENUES THAT THE STATE TRANSPORTATION**
12 **DEPARTMENT MAY RECEIVE OR SHARE IN VIA A PUBLIC-PRIVATE PARTNERSHIP**
13 **PROJECT AUTHORIZED UNDER THE LAW SHALL ONLY BE USED IN A MANNER**
14 **RELATED TO THE SIMILAR TRANSPORTATION PURPOSE OF THE PUBLIC-PRIVATE**
15 **PARTNERSHIP PROJECTS THAT ARE THE SOURCE OF THE REVENUE AND NOT FOR**
16 **ANY OTHER TRANSPORTATION PURPOSE. IN THE CASE OF A PUBLIC-PRIVATE**
17 **PARTNERSHIP PROJECT WHERE BONDING REVENUE EXCEEDS ACTUAL**
18 **CONSTRUCTION COSTS, SURPLUS MONEY SHALL BE USED TO PAY DOWN ANY**
19 **APPLICABLE DEBT AHEAD OF SCHEDULE.**

20 Not less than 90 percent of the specific taxes, except general
21 sales and use taxes and regulatory fees, imposed directly or
22 indirectly on fuels sold or used to propel motor vehicles upon
23 highways and on registered motor vehicles shall, after the payment
24 of necessary collection expenses, be used exclusively for the
25 transportation purposes of planning, administering, constructing,
26 reconstructing, financing, and maintaining state, county, city, and
27 village roads, streets, and bridges designed primarily for the use

1 of motor vehicles using tires, and reasonable appurtenances to
2 those state, county, city, and village roads, streets, and bridges.

3 The balance, if any, of the specific taxes, except general
4 sales and use taxes and regulatory fees, imposed directly or
5 indirectly on fuels sold or used to propel motor vehicles upon
6 highways and on registered motor vehicles, after the payment of
7 necessary collection expenses; 100 percent of the specific taxes,
8 except general sales and use taxes and regulatory fees, imposed
9 directly or indirectly on fuels sold or used to propel aircraft and
10 on registered aircraft, after the payment of necessary collection
11 expenses; and not more than 25 percent of the general sales taxes,
12 imposed directly or indirectly on fuels sold to propel motor
13 vehicles upon highways, on the sale of motor vehicles, and on the
14 sale of the parts and accessories of motor vehicles, after the
15 payment of necessary collection expenses; shall be used exclusively
16 for the transportation purposes of comprehensive transportation
17 purposes as defined by law.

18 The legislature may authorize the incurrence of indebtedness
19 and the issuance of obligations pledging the taxes allocated or
20 authorized to be allocated by this section, which obligations shall
21 not be construed to be evidences of state indebtedness under this
22 constitution.

23 Resolved further, That the foregoing amendment shall be
24 submitted to the people of the state at the next general election
25 in the manner provided by law.