

5996

2011-2012 Regular Sessions

I N A S S E M B L Y

March 3, 2011

Introduced by M. of A. BURLING, CALHOUN, FINCH, McDONOUGH, GIGLIO,
McKEVITT, HAWLEY, MONTESANO, CORWIN -- Multi-Sponsored by -- M. of A.
BARCLAY, J. MILLER, SPANO -- read once and referred to the Committee
on Ways and Means

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 7 of the constitution, in relation to
restricting the use of fees and taxes paid into a dedicated highway
and bridge trust fund and a dedicated mass transportation trust fund

1 Section 1. Resolved (if the Senate concur), That article 7 of the
2 constitution be amended by adding two new sections 20 and 21 to read as
3 follows:
4 S 20. MONEYS IN THE DEDICATED HIGHWAY AND BRIDGE TRUST FUND ESTAB-
5 LISHED BY LAW SHALL BE SEPARATELY KEPT AND SAFELY INVESTED AND SHALL NOT
6 BE APPROPRIATED OR USED IN ANY MANNER OTHER THAN FOR RECONSTRUCTION,
7 REPLACEMENT, RECONDITIONING, RESTORATION, REHABILITATION, AND PRESERVA-
8 TION OF HIGHWAYS, PARKWAYS AND BRIDGES THEREON, TO RESTORE SUCH FACILI-
9 TIES TO THEIR INTENDED FUNCTIONS; CONSTRUCTION, RECONSTRUCTION, ENHANCE-
10 MENT AND IMPROVEMENT OF HIGHWAYS, PARKWAYS AND BRIDGES THEREON, TO
11 ADDRESS CURRENT AND PROJECTED CAPACITY PROBLEMS; MATCHING FEDERAL GRANTS
12 OR APPORTIONMENTS TO THE STATE FOR HIGHWAY, PARKWAY AND BRIDGE CAPITAL
13 PROJECTS; THE ACQUISITION OF REAL PROPERTY AND INTERESTS THEREIN
14 REQUIRED OR EXPECTED TO BE REQUIRED IN CONNECTION WITH SUCH PROJECTS;
15 PAYMENTS PURSUANT TO ANY AGREEMENT, IN ACCORDANCE WITH LAW, WITH PRIVATE
16 ENGINEERS, ARCHITECTS, LAND SURVEYORS OR OTHERS PRACTICING SUCH
17 PROFESSIONS, TO FACILITATE SUCH PROJECTS; PREVENTIVE MAINTENANCE ACTIV-
18 ITIES NECESSARY TO ENSURE THAT HIGHWAYS, PARKWAYS AND BRIDGES MEET OR
19 EXCEED THEIR OPTIMUM USEFUL LIFE; EXPENSES ASSOCIATED WITH THE DEVELOP-
20 MENT OR CONSTRUCTION OF SUCH PROJECTS UP TO THE AMOUNT HISTORICALLY
21 APPROPRIATED FROM THE ENGINEERING SERVICES FUND FROM STATE SOURCES
22 EXCEPT SUCH AMOUNTS THAT ARE REIMBURSED FROM THE PROCEEDS OF THE ACCEL-
23 ERATED CAPACITY AND TRANSPORTATION IMPROVEMENTS OF THE NINETIES BOND
24 ACT; PAYMENTS TO THE GENERAL DEBT SERVICE FUND OF AMOUNTS EQUAL TO

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD89041-01-1

1 AMOUNTS REQUIRED FOR SERVICE CONTRACT PAYMENTS AS PROVIDED AND AUTHOR-
2 IZED BY LAW TO SUPPORT THE CONSOLIDATED LOCAL HIGHWAY ASSISTANCE PROGRAM
3 AND THE NON-FEDERAL SHARE OF FEDERAL AID MUNICIPAL STREET AND HIGHWAY
4 PROJECTS; THE PAYMENT OF DEBT SERVICE REQUIRED ON ANY BONDS, NOTES OR
5 OTHER OBLIGATIONS FOR HIGHWAY, PARKWAY AND BRIDGE PURPOSES AUTHORIZED ON
6 OR AFTER THE EFFECTIVE DATE OF THE DEDICATED HIGHWAY AND BRIDGE TRUST
7 FUND; AND SUCH OTHER HIGHWAY, PARKWAY AND BRIDGE PURPOSES AS MAY BE
8 AUTHORIZED BY THE LEGISLATURE PURSUANT TO LAW.

9 S 21. MONEYS IN THE DEDICATED MASS TRANSPORTATION TRUST FUND ESTAB-
10 LISHED BY LAW SHALL BE SEPARATELY KEPT AND SAFELY INVESTED AND SHALL NOT
11 BE APPROPRIATED OR USED IN ANY MANNER OTHER THAN FOR RECONSTRUCTION,
12 REPLACEMENT, PURCHASE, MODERNIZATION, IMPROVEMENT, RECONDITIONING, PRES-
13 ERVATION AND MAINTENANCE OF MASS TRANSIT FACILITIES, VEHICLES AND ROLL-
14 ING STOCK OR THE PAYMENT OF DEBT SERVICE OR OPERATING EXPENSES INCURRED
15 BY MASS TRANSIT OPERATING AGENCIES.

16 S 2. Resolved (if the Senate concur), That the foregoing amendments be
17 referred to the first regular legislative session convening after the
18 next succeeding general election of members of the assembly, and, in
19 conformity with section 1 of article 19 of the constitution, be
20 published for 3 months previous to the time of such election.