

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 37

91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES REID (Sponsor), DOLAN AND LEVIN.

Pre-filed December 27, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 30(b) of article IV of the Constitution of Missouri and adopting one new section in lieu thereof relating to highways and transportation.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2002, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to article IV of the Constitution of the state of  
Missouri:

Section A. Section 30(b), article IV, Constitution of Missouri, is repealed and one new  
2 section adopted in lieu thereof, to be known as section 30(b), to read as follows:

Section 30(b). 1. For the purpose of constructing and maintaining an adequate system  
2 of connected state highways all state revenue derived from highway users as an incident to their  
3 use or right to use the highways of the state, including all state license fees and taxes upon motor  
4 vehicles, trailers and motor vehicle fuels, and upon, with respect to, or on the privilege of the  
5 manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor  
6 vehicles and trailers, except as hereinafter provided, and all property taxes), less the cost (1) of  
7 collection thereof, (2) of maintaining the highway related activities of the highways and  
8 transportation commission and department including any workers' compensation and retirement

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

9 programs, (3) and of administering and enforcing any state motor vehicle laws or traffic  
10 regulations, and less refunds and that portion of the fuel tax revenue to be allocated to counties  
11 and to cities, towns and villages under section 30(a) of Article IV of this Constitution, shall be  
12 credited to the state road fund and stand appropriated without legislative action for the following  
13 purposes, and no other:

14 First, to the payment of the principal and interest on any outstanding state road bonds.

15 Second, any balance in excess of the amount necessary to meet the payment of the  
16 principal and interest of any state road bonds for the next succeeding twelve months shall be  
17 credited to the state road fund and shall be expended under the supervision and direction of the  
18 commission for the following purposes:

19 (1) To complete and widen or otherwise improve and maintain the state system of  
20 highways heretofore designated and laid out under existing laws;

21 (2) To reimburse the various counties and other political subdivisions of the state, except  
22 incorporated cities and towns, for money expended by them in the construction or acquisition  
23 of roads and bridges now or hereafter taken over by the state as permanent parts of the system  
24 of state highways, to the extent of the value to the state of such roads and bridges at the time  
25 taken over, not exceeding in any case the amount expended by such counties and subdivisions  
26 in the construction or acquisition of such roads and bridges, except that the highways and  
27 transportation commission may, in its discretion, repay, or agree to repay, any cash advanced by  
28 a county or subdivision to expedite state road construction or improvement;

29 (3) In the discretion of the commission to locate, relocate, establish, acquire, construct  
30 and maintain the following:

31 (a) supplementary state highways and bridges in each county of the state as hereinafter  
32 provided;

33 (b) state highways and bridges in, to and through state parks, public areas and  
34 reservations, and state institutions now or hereafter established, and connect the same with the  
35 state highways; and also national, state or local parkways, travelways, tourways, with  
36 coordinated facilities;

37 (c) any tunnel or interstate bridge or part thereof, where necessary to connect the state  
38 highways of this state with those of other states;

39 (d) any highway within the state when necessary to comply with any federal law or  
40 requirement which is or shall become a condition to the receipt of federal funds;

41 (e) any highway in any city or town which is found necessary as a continuation of any  
42 state or federal highway, or any connection therewith, into and through such city or town; and

43 (f) additional state highways, bridges and tunnels, outside the corporate limits of cities  
44 having a population in excess of one hundred fifty thousand, either in congested traffic areas of

45 the state or where needed to facilitate and expedite the movement of through traffic.

46 (4) To acquire materials, equipment and buildings necessary for the purposes herein  
47 described; and

48 (5) For such other purposes and contingencies relating and appertaining to the  
49 construction and maintenance of such highways and bridges as the highways and transportation  
50 commission may deem necessary and proper.

51 2. [One-half] **Three-fourths** of the proceeds from the state sales tax on all motor  
52 vehicles, trailers, motorcycles, mopeds and motortricycles, **excluding the sales tax levied and**  
53 **disbursed pursuant to sections 43 (a), (b), and (c), and sections 47 (a), (b), and (c) of this**  
54 **article**, shall be dedicated for highway and transportation use and shall be distributed as follows:  
55 ten percent to the counties, fifteen percent to the cities, one percent to the state transportation  
56 fund, which is hereby created to be used in a manner provided by law and seventy-four percent  
57 to the state road fund. The amounts distributed shall be allocated as provided in section 30(a)  
58 of this article, to be used for highway and transportation purposes. **One-fourth of the proceeds**  
59 **from the state sales tax on all motor vehicles, trailers, motorcycles, mopeds, and**  
60 **motortricycles, excluding the sales tax levied and disbursed pursuant to sections 43 (a), (b),**  
61 **and (c) of this article and sections 47 (a), (b), and (c) of this article shall be dedicated for**  
62 **school use and shall be distributed to the school district trust fund.**

63 3. Notwithstanding the provisions of subsection 1 of this section, any increase in state  
64 license fees and taxes on motor vehicles, trailers, motorcycles, mopeds and motortricycles **other**  
65 **than the taxes enumerated in subsection 2 of this section** over and above those in effect upon  
66 adoption of this section shall be distributed as follows: ten percent to the counties, fifteen  
67 percent to the cities and seventy-five to the state road fund. The amounts distributed shall be  
68 allocated as provided in section 30(a) of this article, to be used for highway and transportation  
69 purposes.