

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 67

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SPENCER.

5600H.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 30(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the County Aid Road Trust Fund.

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, 2016, 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
5 Missouri:

Section A. Section 30(a), article IV, Constitution of Missouri, is repealed and one new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

Section 30(a). 1. A tax upon or measured by fuel used for propelling highway motor
2 vehicles shall be levied and collected as provided by law. Any amount of the tax collected with
3 respect to fuel not used for propelling highway motor vehicles shall be refunded by the state in
4 the manner provided by law. The remaining net proceeds of the tax, after deducting actual costs
5 of collection of the department of revenue (but after June 30, 2005, not more than three percent
6 of the amount collected) and refunds for overpayments and erroneous payments of such tax as
7 permitted by law, shall be apportioned and distributed between the counties, cities and the state
8 highways and transportation commission as hereinafter provided and shall stand appropriated
9 without legislative action for the following purposes:

10 (1) [Ten] **Twenty** percent of the remaining net proceeds shall be deposited in a special
11 trust fund known as the "County Aid Road Trust Fund". In addition, beginning July 1, 1994, an

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 additional five percent of the remaining net proceeds which is derived from the difference
13 between the amount received from a tax rate equal to the tax rate in effect on March 31, 1992,
14 and the tax rate in effect on and after July 1, 1994, shall also be deposited in the county aid road
15 trust fund, and of such moneys generated by this additional five percent, five percent shall be
16 apportioned and distributed solely to cities not within any county in this state. After such
17 distribution to cities not within any county, the remaining proceeds in the county aid road trust
18 fund shall be apportioned and distributed to the various counties of the state on the following
19 basis: One-half on the ratio that the county road mileage of each county bears to the county road
20 mileage of the entire state as determined by the last available report of the state highways and
21 transportation commission and one-half on the ratio that the rural land valuation of each county
22 bears to the rural land valuation of the entire state as determined by the last available report of
23 the state tax commission, except that county road mileage in incorporated villages, towns or
24 cities and the land valuation in incorporated villages, towns or cities shall be excluded in such
25 determination, except that, if the assessed valuation of rural lands in any county is less than five
26 million dollars, the county shall be treated as having an assessed valuation of five million dollars.
27 The funds apportioned and distributed to each county shall be dedicated, used and expended by
28 the county solely for the construction, reconstruction, maintenance and repairs of roads, bridges
29 and highways, and subject to such other provisions and restrictions as provided by law. The
30 moneys generated by the additional five percent of the remaining net proceeds which is derived
31 from the difference between the amount received from a tax rate equal to the tax rate in effect
32 on March 31, 1992, and the tax rate in effect on and after July 1, 1994, shall not be used or
33 expended for equipment, machinery, salaries, fringe benefits or capital improvements, other than
34 roads and bridges. In counties having the township form of county organization, the funds
35 distributed to such counties shall be expended solely under the control and supervision of the
36 county commission, and shall not be expended by the various townships located within such
37 counties. "Rural land" as used in this section shall mean all land located within any county,
38 except land in incorporated villages, towns, or cities.

39 (2) Fifteen percent of the remaining net proceeds shall be apportioned and distributed to
40 the various incorporated cities, towns and villages within the state solely for construction,
41 reconstruction, maintenance, repair, policing, signing, lighting and cleaning roads and streets and
42 for the payment of principal and interest on indebtedness on account of road and street purposes,
43 and the use thereof being subject to such other provisions and restrictions as provided by law.
44 The amount apportioned and distributed to each city, town or village shall be based on the ratio
45 that the population of the city, town or village bears to the population of all incorporated cities,
46 towns or villages in the state having a like population, as shown by the last federal decennial
47 census, provided that any city, town or village which had a motor fuel tax prior to the adoption

48 of this section shall annually receive not less than an amount equal to the net revenue derived
49 therefrom in the year 1960; and

50 (3) All the remaining net proceeds in excess of the distributions to counties, and to cities,
51 towns and villages under this section shall be apportioned, distributed and deposited in the state
52 road fund and shall be expended and used solely as provided in subsection 1 of section 30(b) of
53 Article IV of this Constitution.

54 2. The director of revenue of the state shall make the apportionment, distribution and
55 deposit of the funds monthly in the manner required hereby.

56 3. Except for taxes or licenses which may be imposed uniformly on all merchants or
57 manufacturers based upon sales, or which uniformly apply ad valorem to the stocks of merchants
58 or manufacturers, no political subdivision in this state shall collect any tax, excise, license or fee
59 upon, measured by or with respect to the importation, receipt, manufacture, storage,
60 transportation, sale or use, on or after the first day of the month next following the adoption of
61 this section of fuel used for propelling motor vehicles, unless the tax, excise, license or fee is
62 approved by a vote of the people of any city, town or village subsequent to the adoption of this
63 section, by a two- thirds majority. All funds collected shall be used solely for construction,
64 reconstruction, maintenance, repair, policing, signing, lighting, and cleaning roads and streets
65 and for the payment and interest on indebtedness incurred on account of road and street purposes.

66 4. The net proceeds of fuel taxes apportioned, distributed and deposited under this
67 section to the state road fund, counties, cities, towns and villages shall not be included within the
68 definition of "total state revenues" in section 17 of article X of this constitution nor be considered
69 as an "expense of state government" as that term is used in section 20 of article X of this
70 constitution.

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