- 1 HB207
- 2 123968-2
- 3 By Representatives Todd, Newton (D), Moore (M) and Coleman
- 4 (Constitutional Amendment)
- 5 RFD: Ways and Means General Fund
- 6 First Read: 09-MAR-11

Τ	123968-2:n	:03/08/2011:KBH/mfp LRS2010-4428R1
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8	SYNOPSIS:	Under existing law, funds derived from fees
9		and taxes levied by the state relating to the use
10		and operation of motor vehicles and motor vehicle
11		fuels may only be used for the construction,
12		maintenance, and repair of public highways and
13		bridges and for costs related to traffic regulation
14		and enforcement.
15		This bill would propose an amendment to
16		Amendment 93, as amended by Amendment 354, to the
17		Constitution of Alabama of 1901, now appearing as
18		Section 111.06 of the Official Recompilation of the
19		Constitution of Alabama of 1901, as amended, to
20		authorize a minimum of 10 percent of these funds to
21		be used for public transportation.
22		
23		A BILL
24		TO BE ENTITLED
25		AN ACT
26		

To propose an amendment to Amendment 93, as amended by Amendment 354, to the Constitution of Alabama of 1901, now appearing as Section 111.06 of the Official Recompilation of the Constitution of Alabama of 1901, as amended; to authorize the expenditure of a portion of certain motor vehicle related fees and taxes levied by the state for public transportation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

"Amendment No. 354

AMENDMENT OF AMENDMENT NO. 93.

"No moneys derived from any fees, excises, or license taxes, levied by the state, relating to registration, operation, or use of vehicles upon the public highways except a vehicle-use tax imposed in lieu of a sales tax, and no moneys derived from any fee, excises, or license taxes, levied by the state, relating to fuels used for propelling such vehicles except pump taxes, shall be expended for other than cost of administering such laws, statutory refunds and adjustments allowed therein, cost of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights-of-way, payment of highway

obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws, and a minimum of 10 percent for public transportation. The provisions of this amendment shall not apply to any such fees, excises, or license taxes now levied by the state for school purposes for this whole state or for any county or city board of education therein; and the legislature may provide for the manufacture, distribution and use on private passenger or pleasure motor vehicles of personalized license plates or tags, bearing some special letters, figures, mark or badge of distinction or personal prestige in lieu of the regular license plates or tags, and if it does so, the legislature must also require that such tags may be procured only by payment of a fee or charge, in addition to the regular fee, excise or license tax for the registration, operation or use of such motor vehicles upon the highways. The moneys derived from the additional charge made for such special or distinctive license plates or tags, in excess of the cost of the manufacture and distribution of such plates or tags, may be used in such manner as the legislature prescribes."

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Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

1	Section 3. The appropriate election official shall	
2	assign a ballot number for the proposed constitutional	
3	amendment on the election ballot and shall set forth the	
4	following description of the substance or subject matter of	
5	the proposed constitutional amendment:	
6	"Proposing an amendment to the Constitution of	
7	Alabama of 1901, to authorize a minimum of 10 percent of	
8	certain motor vehicle related fees and taxes levied by the	
9	state to be used for public transportation.	
10	"Proposed by Act"	
11	This description shall be followed by the following	
12	language:	
13	"Yes () No ()."	