ASSEMBLY CONCURRENT RESOLUTION No. 37

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:
Assemblyman ANTHONY M. BUCCO
District 25 (Morris and Somerset)

SYNOPSIS
Amends the State Constitution to dedicate certain motor vehicle fee and surcharge revenues collected by the New Jersey Motor Vehicle Commission for the cost of funding the State transportation system.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel
ACR37 A.M. BUCCO

A CONCURRENT RESOLUTION proposing to amend Article VIII,
Section II, paragraph 4 of the Constitution of the State of New
Jersey.

BE IT RESOLVED by the General Assembly of the State of New
Jersey (the Senate concurring):

1. The following proposed amendment to the Constitution of
the State of New Jersey is agreed to:

PROPOSED AMENDMENT

Amend Article VIII, Section II, paragraph 4 as follows:

4. There shall be credited to a special account in the General
Fund:

(a) for each State fiscal year commencing on and after July 1,
1999 an amount equivalent to the revenue derived from $0.09 per
gallon from the tax imposed on the sale of motor fuels pursuant to
chapter 39 of Title 54 of the Revised Statutes;
(b) for the State fiscal year in which the amendment to this
paragraph is approved by the voters an amount not less than
$100,000,000 derived from the State revenues collected from the
tax on the gross receipts of the sale of petroleum products imposed
pursuant to P.L. 1990, c.42 (C.54:15B-1 et seq.) as amended and
supplemented, or any other subsequent law of similar effect, and for
each State fiscal year thereafter an amount not less than
$200,000,000 derived from those revenues; and
(c) for the State fiscal year next commencing after the
amendment to this paragraph is approved by the voters an amount
not less than $80,000,000 from the State revenue collected from the
State tax imposed under the "Sales and Use Tax Act," pursuant to
P.L.1966, c.30 (C.54:32B-1 et seq.), as amended and supplemented,
or any other subsequent law of similar effect, for the State fiscal
year thereafter an amount not less than $140,000,000 from those
revenues, and in each State fiscal year thereafter an amount not less
than $200,000,000 from those revenues;
(d) for each State fiscal year next commencing after the
amendment to this paragraph is approved by the voters, an amount
equal to the fee and surcharge revenues collected by the New Jersey
Motor Vehicle Commission that is in excess of the amount required
in any such year for the cost of administration of the commission;
provided, however, the dedication and use of such revenues as
provided in this paragraph shall be subject and subordinate to (a) all
appropriations of revenues from such taxes made by laws enacted
on or before December 7, 2000 in accordance with Article VIII,

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Section II, paragraph 3 of the State Constitution in order to provide
the ways and means to pay the principal and interest on bonds of the
State presently outstanding or authorized to be issued under such
laws or (b) any other use of those revenues enacted into law on or
before December 7, 2000. These amounts shall be appropriated
from time to time by the Legislature, only for the purposes of
paying or financing the cost of planning, acquisition, engineering,
construction, reconstruction, repair and rehabilitation of the
transportation system in this State and it shall not be competent for
the Legislature to borrow, appropriate or use these amounts or any
part thereof for any other purpose, under any pretense whatever.
(cf: Article VIII, Section II, paragraph 4 amended effective
December 7, 2000)

2. When this proposed amendment to the Constitution is finally
agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
shall be submitted to the people at the next general election
occurring more than three months after the final agreement and
shall be published at least once in at least one newspaper of each
county designated by the President of the Senate, the Speaker of the
General Assembly and the Attorney General, not less than three
months prior to the general election.

3. This proposed amendment to the Constitution shall be
submitted to the people at that election in the following manner and
form:

There shall be printed on each official ballot to be used at the
general election, the following:

a. In every municipality in which voting machines are not used, a
legend which shall immediately precede the question as follows:

   If you favor the proposition printed below make a cross (X), plus
   (+), or check (✓) in the square opposite the word "Yes." If you are
   opposed thereto make a cross (X), plus (+) or check (✓) in the
   square opposite the word "No."

b. In every municipality the following question:
YES

DEDICATES EXCESS MOTOR VEHICLE COMMISSION REVENUES TO THE STATE TRANSPORTATION SYSTEM

Do you approve the proposed amendment to the State Constitution which provides that for each State fiscal year next commencing hereafter, an amount equal to the sum of the fees and surcharges collected by the New Jersey Motor Vehicle Commission that are in excess of the amount required in any such year for the cost of administration of the commission, shall be credited to the special account in the General Fund available only for the funding of the State transportation system, subject to laws enacted on or before December 7, 2000 dedicating any of these revenues for debt service on bonds of the State or for any other uses of these revenues?

NO

INTERPRETIVE STATEMENT

This amendment to the State Constitution dedicates for the cost of funding the State transportation system the motor vehicle fee and surcharge revenues collected by the New Jersey Motor Vehicle Commission that are greater than the cost of administering the commission.

STATEMENT

This concurrent resolution proposes to amend the State constitution to dedicate for the cost of funding the State transportation system the motor vehicle fee and surcharge revenues collected by the New Jersey Motor Vehicle Commission that are greater than the cost of administering the commission. The dedication of this motor vehicle fee and surcharge revenue should be sufficient to permit future transportation system improvements to be funded through the Transportation Trust Fund Authority. It is proposed as an alternative to the ill-conceived and short-live proposal by the Governor to raise the motor fuels tax as a source to fund the transportation infrastructure improvement needs of the State.