

**Legislative History Checklist**  
(Compiled by the Office of Legislative Services Library)

**Synopsis:** To amend the Constitution to provide for a four year  
dedication of motor fuels tax for transport purposes.

**Bill No.:** SCR2

*Identical to:* ACR9  
*Submitted for:* ACR9  
*Combined with:*  
*Last Session Bill No.:*

*See Above Bill(s) for Additional History*

**NJ CONSTITUTION:** Article VIII, Section 11, paragraph 4

**Spencer(s):** Haines/Littell+2

**Date Introduced:** 05/08/95

**Committee Reference:**

**Statement:**

**Public Hearing:**

Assembly:

(without reference)

Senate:

Transportation  
Budget and Appropriations

Yes  
Yes

\*Yes  
No

**Sponsor Statement:** Yes

**Fiscal Note:** No

**Dates of Passage:**

Assembly:

08/12/95 (78-0)

Senate:

08/12/95 (33-4)

**Amended During Passage:** Yes

**Governor's Action:**

**Veto:** No

**Date of Veto:**

**Date of Approval:**

**Message on Signing:** No

**Additional Information:**

\*Public hearing was held on 6/1/95.

[FIRST REPRINT]

**PASSED**  
**JUN 12 1995**

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE CONCURRENT RESOLUTION No. 2**

**STATE OF NEW JERSEY**

ADOPTED MAY 11, 1995

Sponsored by Senators HAINES, LITTELL, CIESLA,  
CARDINALE, SACCO and BRYANT

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

4  
5 **WHEREAS**, New Jersey is a heavily-traveled corridor state  
6 between New York City and Philadelphia, and the State  
7 transportation system is one of the most heavily used in the  
8 country; and

9 **WHEREAS**, New Jersey has more miles of highway per square  
10 mile than any other state; and

11 **WHEREAS**, The ability to transport goods and people is vital for  
12 maintaining the quality of life of New Jersey's citizens and for  
13 maintaining economic growth within the State; and

14 **WHEREAS**, New Jersey has currently invested over \$150 billion in  
15 the State transportation network; and

16 **WHEREAS**, The Transportation Trust Fund Authority, created in  
17 July 1984, has served as the funding mechanism to support an  
18 expanded annual transportation capital construction program;  
19 and

20 **WHEREAS**, The Transportation Trust Fund helps New Jersey  
21 maintain its competitive position as a good place to do business  
22 and a desirable place to live; and

23 **WHEREAS**, The constitutional dedication of 9 cents per gallon of  
24 the existing motor fuels tax will provide a stable source of  
25 funding for the Transportation Trust Fund; now, therefore.

26

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

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

31

32 **PROPOSED AMENDMENT**

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

34 4. There shall be credited [annually] to a special account in the  
35 General Fund <sup>1</sup>for the State fiscal year in which the amendment  
36 to this paragraph is approved by the voters<sup>1</sup> an amount equivalent  
37 to the revenue derived from \$0.025 per gallon from the tax  
38 imposed on the sale of motor fuels pursuant to chapter 39 of Title  
39 54 of the Revised Statutes <sup>1</sup>for any other State law of similar  
40 effect for the State fiscal year in which the amendment to this  
41 paragraph is approved by the voters<sup>1</sup>, and an amount equivalent  
42 to the revenue derived from \$0.07 per gallon from the tax shall

**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.

Matter enclosed in superscript numerals has been adopted as follows:  
Senate SBA committed amendments adopted May 15, 1995.

1 ~~be credited to the account in each of the first two State fiscal~~  
2 ~~years commencing after the approval of the amendment to this~~  
3 ~~paragraph by the voters, and an amount equivalent to the revenue~~  
4 ~~derived from \$0.09 per gallon from the tax shall be credited to~~  
5 ~~the account in the third State fiscal year commencing after the~~  
6 ~~approval of the amendment to this paragraph by the voters, and~~  
7 ~~an amount equivalent to the revenue derived from \$0.09 per~~  
8 ~~gallon from the tax shall be credited to the account in the fourth~~  
9 ~~State fiscal year commencing after the approval of the~~  
10 ~~amendment to this paragraph by the voters and annually~~  
11 ~~thereafter; provided, however, the dedication and use of such~~  
12 ~~revenues as provided in this paragraph shall be subject and~~  
13 ~~subordinate to (a) all appropriations of revenues from such taxes~~  
14 ~~made by laws [previously] enacted on or before December 6, 1984~~  
15 ~~in accordance with Article VIII, Section II, paragraph 3 of the~~  
16 ~~State Constitution in order to provide the ways and means to pay~~  
17 ~~the principal and interest on bonds of the State presently~~  
18 ~~outstanding or authorized to be issued under such laws or (b) any~~  
19 ~~other use of those revenues [previously] enacted into law on or~~  
20 ~~before December 6, 1984. [This amount] These amounts shall be~~  
21 ~~appropriated from time to time by the Legislature, only for the~~  
22 ~~purposes of paying or financing the cost of planning, acquisition,~~  
23 ~~engineering, construction, reconstruction, repair and~~  
24 ~~rehabilitation of the transportation system in this State and it~~  
25 ~~shall not be competent for the Legislature to borrow, appropriate~~  
26 ~~or use [this amount] these amounts or any part thereof for any~~  
27 ~~other purpose, under any pretense whatever. [The provisions of~~  
28 ~~this paragraph shall be of no effect after 17 years from the date~~  
29 ~~on which this amendment becomes part of the Constitution.]~~  
30 (cf: Article VIII, Section II, paragraph 4, added effective  
31 December 6, 1984)

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

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

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

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

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

b. In every municipality the following question:

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YES	<p><b>DEDICATION OF CERTAIN EXISTING MOTOR FUELS TAXES FOR THE TRANSPORTATION SYSTEM IN THIS STATE</b></p> <p>Shall the amendment to Article VIII, Section II, paragraph 4 of the Constitution of the State of New Jersey, agreed to by the Legislature, to dedicate an additional annual amount of the existing motor fuels tax to a special account in the General Fund available only for the funding of the State transportation system, subject to laws enacted on or before December 6, 1984 dedicating any of this amount for debt service on bonds of the State or other uses, from an amount equivalent to the revenue derived from \$0.025 per gallon of the existing tax imposed on motor fuels to an amount equivalent to \$0.07 per gallon of that existing tax for the first two State fiscal years after approval of the amendment, and to an amount equivalent to \$0.08 per gallon of that existing tax for the third State fiscal year after approval of the amendment, and to an amount equivalent to \$0.09 per gallon of that existing tax for the fourth State fiscal year after approval of the amendment and thereafter, and to make the provisions of this constitutional dedication permanent by deleting the current expiration date which is the year 2001, be approved?</p>
NO	<p><b>INTERPRETIVE STATEMENT</b></p> <p>This constitutional amendment does not increase the state motor fuels tax, but requires the State to dedicate an additional portion of the existing tax for the funding of the State transportation system through the Transportation Trust Fund. The current dedication is 2.5 cents per gallon. If this proposed constitutional amendment is approved, the total dedication would reach 9 cents per gallon over a four year period. Further, the constitutional dedication of the motor fuels tax revenue would be made permanent<sup>1</sup> and would provide a stable source of funding for the Transportation Trust Fund<sup>1</sup>.</p>

Proposes a four year constitutional dedication for transportation purposes of the existing motor fuels tax from 2.5 cents to 9 cents per gallon.

**SENATE BUDGET AND APPROPRIATIONS COMMITTEE**

**STATEMENT TO**

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION No. 2**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 15, 1995

The Senate Budget and Appropriations Committee reports favorably Senate Concurrent Resolution No. 2 SCS, with committee amendments.

Senate Concurrent Resolution No. 2 SCS proposes to amend Article VIII, Section II, paragraph 4 of the State Constitution to further dedicate a portion of the existing motor fuels tax revenue for the funding of the transportation system in the State.

If approved by the voters, the amount of existing motor fuels tax revenue dedicated constitutionally would be further dedicated by 4.5 cents on July 1 of the year following approval of this amendment by the voters, by 1.0 cent on July 1 in the third year following approval and by an additional 1.0 cent on July 1 in the fourth year following approval. The current dedication is 2.5 cents per gallon of the tax on motor fuels. The total amount will be 9.0 cents per gallon of the tax on motor fuels in the fourth and subsequent years following approval of this amendment to the Constitution by the voters.

The constitutional dedication of motor fuels tax revenue, that now expires in 2001, will become permanent.

As amended and reported, this concurrent resolution is identical to Assembly Concurrent Resolution No. 9 (1R) of 1995.

**COMMITTEE AMENDMENTS**

The committee amended the bill to make it identical to Assembly Concurrent Resolution No. 9 (1R) of 1995. The amendments adopt a technical amendment proposed by the Attorney General to section 1 and add a phrase to the interpretive statement noting that this amendment to the constitution would provide a stable source of funding for the Transportation Trust Fund.

**FISCAL IMPACT**

If approved by the voters, this phased-in constitutional dedication of the revenues of the existing motor fuels tax will contribute no less than \$100 million to the Transportation Trust Fund in FY 1996, \$250 million in FY 1997 and FY 1998, \$320 million in FY 1999, and \$380 million in FY 2000 and annually thereafter.

SENATE SBA COMMITTEE

ADOPTED  
MAY 13 1995

AMENDMENTS

to

**SENATE CONCURRENT RESOLUTION, No. 2 SCS**

(Sponsored by Senators HAINES, LITTELL, CEISLA  
CARDINALE, SACCO and BRYANT)

REPLACE SECTION 1 TO READ:

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 [annually] to a special account in the General Fund <sup>1</sup>for the State fiscal year in which the amendment to this paragraph is approved by the voters<sup>1</sup> an amount equivalent to the revenue derived from \$0.025 per gallon from the tax imposed on the sale of motor fuels pursuant to chapter 39 of Title 54 of the Revised Statutes <sup>1</sup>[or any other State law of similar effect for the State fiscal year in which the amendment to this paragraph is approved by the voters]<sup>1</sup>, and an amount equivalent to the revenue derived from \$0.07 per gallon from the tax shall be credited to the account in each of the first two State fiscal years commencing after the approval of the amendment to this paragraph by the voters, and an amount equivalent to the revenue derived from \$0.08 per gallon from the tax shall be credited to the account in the third State fiscal year commencing after the approval of the amendment to this paragraph by the voters, and an amount equivalent to the revenue derived from \$0.09 per gallon from the tax shall be credited to the account in the fourth State fiscal year commencing after the approval of the amendment to this paragraph by the voters and annually thereafter; provided, however, the dedication and use of such revenues as provided in this paragraph shall be subject and subordinate to (a) <sup>2</sup> appropriations of revenues from such taxes made by laws [previously] enacted on or before December 6, 1984 in accordance with Article VIII, 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 [previously] enacted into law on or before December 6, 1984. [This amount] 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 [this amount] these amounts or any part thereof for any other purpose, under any pretense whatever. [The provisions of

this paragraph shall be of no effect after 17 years from the date on which this amendment becomes part of the Constitution.] (cf: Article VIII, Section II, paragraph 4, added effective December 6, 1984)

**REPLACE SECTION 3 TO READ:**

3. This proposed amendment to the Constitution shall be submitted to the people at that general 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:

**DEDICATION OF CERTAIN EXISTING MOTOR FUELS TAXES FOR THE TRANSPORTATION SYSTEM IN THIS STATE**

YES. Shall the amendment to Article VIII, Section II, paragraph 4 of the Constitution of the State of New Jersey, agreed to by the Legislature, to dedicate an additional annual amount of the existing motor fuels tax to a special account in the General Fund available only for the funding of the State transportation system, subject to laws enacted on or before December 6, 1984 dedicating any of this amount for debt service on bonds of the State or other uses, from an amount equivalent to the revenue derived from \$0.025 per gallon of the existing tax imposed on motor fuels to an amount equivalent to \$0.07 per gallon of that existing tax for the first two State fiscal years after approval of the amendment, and to an amount equivalent to \$0.08 per gallon of that existing tax for the third State fiscal year after approval of the amendment, and to an amount equivalent to \$0.09 per gallon of that existing tax for the fourth State fiscal year after approval of the amendment and thereafter, and to make the provisions of this constitutional dedication permanent by deleting the current expiration date which is the year 2001, be approved?

**INTERPRETIVE STATEMENT**

NO. This constitutional amendment does not increase the state motor fuels tax, but requires the State to dedicate an additional portion of the existing tax for the funding of the State transportation system through the Transportation Trust Fund. The current dedication is 2.5 cents per gallon. If this proposed constitutional amendment is approved, the total dedication would reach 9 cents per gallon over a four year period. Further, the constitutional dedication of the motor fuels tax revenue would be made permanent<sup>1</sup> and would provide a stable source of funding for the Transportation Trust Fund<sup>1</sup>.

**SENATE TRANSPORTATION COMMITTEE**  
**STATEMENT TO**  
**SENATE COMMITTEE SUBSTITUTE FOR**  
**SENATE CONCURRENT RESOLUTION No. 2**  
**STATE OF NEW JERSEY**

**DATED: MAY 11, 1995**

**The Senate Transportation Committee favorably reports a Senate Committee Substitute for Senate Concurrent Resolution No. 2.**

**This Senate committee substitute proposes to amend Article VIII, Section II, paragraph 4 of the State Constitution to further dedicate a portion of the existing motor fuels tax revenue constitutionally for the transportation system in the State.**

**If approved by the voters, the amount of existing motor fuels tax revenue dedicated constitutionally would be further dedicated by 4.5 cents on July 1 of the year following approval of this amendment by the voters, by 1.0 cent on July 1 in the third year following approval and by an additional 1.0 cent on July 1 in the fourth year following approval from the current amount, equivalent to the revenue derived from 2.5 cents per gallon of the tax on motor fuels, to a total amount equivalent to 9.0 cents per gallon of the tax on motor fuels in the fourth year and subsequent years.**

**Further, the constitutional dedication of motor fuels tax revenue, which now expires in 2001, would be made permanent.**

SENATE COMMITTEE SUBSTITUTE FOR  
SENATE CONCURRENT RESOLUTION No. 2

ACCEPTED  
MAY 11 1995

STATE OF NEW JERSEY

By Senators HAINES, LITTELL, CIESLA, CARDINALE,  
SACCO and BRYANT

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

WHEREAS, New Jersey is a heavily-traveled corridor state  
between New York City and Philadelphia, and the State  
transportation system is one of the most heavily used in the  
country; and

WHEREAS, New Jersey has more miles of highway per square  
mile than any other state; and

WHEREAS, The ability to transport goods and people is vital for  
maintaining the quality of life of New Jersey's citizens and for  
maintaining economic growth within the State; and

WHEREAS, New Jersey has currently invested over \$150 billion in  
the State transportation network; and

WHEREAS, The Transportation Trust Fund Authority, created in  
July 1984, has served as the funding mechanism to support an  
expanded annual transportation capital construction program;  
and

WHEREAS, The Transportation Trust Fund helps New Jersey  
maintain its competitive position as a good place to do business  
and a desirable place to live; and

WHEREAS, The constitutional dedication of 9 cents per gallon of  
the existing motor fuels tax will provide a stable source of  
funding for the Transportation Trust Fund; now, therefore,

BE IT RESOLVED by the Senate of the State of New Jersey  
(the General Assembly 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 [annually] to a special account in the  
General Fund an amount equivalent to the revenue derived from  
\$0.025 per gallon from the tax imposed on the sale of motor fuels  
pursuant to chapter 39 of Title 54 of the Revised Statutes or any  
other State law of similar effect for the State fiscal year in  
which the amendment to this paragraph is approved by the voters,  
and an amount equivalent to the revenue derived from \$0.02 per  
gallon from the tax shall be credited to the account in each of  
the first two State fiscal years commencing after the approval of

the amendment to this paragraph by the voters, and an amount equivalent to the revenue derived from \$0.09 per gallon from the tax shall be credited to the account in the third State fiscal year commencing after the approval of the amendment to this paragraph by the voters, and an amount equivalent to the revenue derived from \$0.09 per gallon from the tax shall be credited to the account in the fourth State fiscal year commencing after the approval of the amendment to this paragraph by the voters and annually thereafter; 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 [previously] enacted on or before December 6, 1984 in accordance with Article VIII, 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 [previously] enacted into law on or before December 6, 1984. [This amount] 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 [this amount] these amounts or any part thereof for any other purpose, under any pretense whatever. [The provisions of this paragraph shall be of no effect after 17 years from the date on which this amendment becomes part of the Constitution.]

(cf: Article VIII, Section II, paragraph 4, added effective December 6, 1984)

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 Secretary of State, 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 general 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:

DEDICATION OF CERTAIN EXISTING MOTOR  
FUELS TAXES FOR THE TRANSPORTATION  
SYSTEM IN THIS STATE

YES. Shall the amendment to Article VIII, Section II, paragraph 4 of the Constitution of the State of New Jersey, agreed to by the Legislature, to dedicate an additional annual amount of the existing motor fuels tax to a special account in the General Fund available only for the funding of the State transportation system, subject to laws enacted on or before December 6, 1984 dedicating any of this amount for debt service on bonds of the State or other uses, from an amount equivalent to the revenue derived from \$0.025 per gallon of the existing tax imposed on motor fuels to an amount equivalent to \$0.07 per gallon of that existing tax for the first two State fiscal years after approval of the amendment, and to an amount equivalent to \$0.08 per gallon of that existing tax for the third State fiscal year after approval of the amendment, and to an amount equivalent to \$0.09 per gallon of that existing tax for the fourth State fiscal year after approval of the amendment and thereafter, and to make the provisions of this constitutional dedication permanent by deleting the current expiration date which is the year 2001, be approved?

INTERPRETIVE STATEMENT

NO. This constitutional amendment does not increase the state motor fuels tax, but requires the State to dedicate an additional portion of the existing tax for the funding of the State transportation system through the Transportation Trust Fund. The current dedication is 2.5 cents per gallon. If this proposed constitutional amendment is approved, the total dedication would reach 9 cents per gallon over a four year period. Further, the constitutional dedication of the motor fuels tax revenue would be made permanent.

STATEMENT

This concurrent resolution proposes to amend Article VIII, Section II, paragraph 4 of the State Constitution to further dedicate a portion of the existing motor fuels tax revenue constitutionally for the transportation system in the State. ✓

If approved by the voters, the amount of existing motor fuels tax revenue dedicated constitutionally would be further dedicated by 4.5 cents on July 1 of the year following approval of this amendment by the voters, by 1.0 cent on July 1 in the third year following approval and by an additional 1.0 cent on July 1 in the fourth year following approval from the current amount, equivalent to the revenue derived from 2.5 cents per gallon of the tax on motor fuels, to a total amount equivalent to 9.0 cents per gallon of the tax on motor fuels in the fourth year and subsequent years.

Further, the constitutional dedication of motor fuels tax revenue, which now expires in 2001, would be made permanent.

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Proposes a four year constitutional dedication for transportation purposes of the existing motor fuels tax from 2.5 cents to 9 cents per gallon.

# SENATE CONCURRENT RESOLUTION No. 2

## STATE OF NEW JERSEY

INTRODUCED MAY 8, 1985

By Senators HAINES and LITTELL.

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

4  
5 WHEREAS, New Jersey is a heavily-traveled corridor state  
6 between New York City and Philadelphia, and the State  
7 transportation system is one of the most heavily used in the  
8 country; and

9 WHEREAS, New Jersey has more miles of highway per square  
10 mile than any other state; and

11 WHEREAS, The ability to transport goods and people is vital for  
12 maintaining the quality of life of New Jersey's citizens and for  
13 maintaining economic growth within the State; and

14 WHEREAS, New Jersey has currently invested over \$150 billion in  
15 the State transportation network; and

16 WHEREAS, The Transportation Trust Fund Authority, created in  
17 July 1984, has served as the funding mechanism to support an  
18 expanded annual transportation capital construction program;  
19 and

20 WHEREAS, The Transportation Trust Fund helps New Jersey  
21 maintain its competitive position as a good place to do business  
22 and a desirable place to live; and

23 WHEREAS, The constitutional dedication of 9 cents per gallon of  
24 the existing motor fuels tax will provide a stable source of  
25 funding for the Transportation Trust Fund; now, therefore,

26  
27 **BE IT RESOLVED** by the Senate of the State of New Jersey  
28 (the General Assembly concurring):

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

### 31 PROPOSED AMENDMENT

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

33 4. There shall be credited [annually] to a special account in the  
34 General Fund an amount equivalent to the revenue derived from  
35 \$0.025 per gallon from the tax imposed on the sale of motor fuels  
36 pursuant to chapter 39 of Title 54 of the Revised Statutes or any  
37 other State law of similar effect for the State fiscal year in  
38 which the amendment to this paragraph is approved by the voters,  
39 and an amount equivalent to the revenue derived from \$0.07 per  
40 gallon from the tax shall be credited to the account in each of  
41 the first two State fiscal years commencing after the approval of  
42

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.

1 the amendment to this paragraph by the voters, and an amount  
2 equivalent to the revenue derived from \$0.08 per gallon from the  
3 tax shall be credited to the account in the third State fiscal year  
4 commencing after the approval of the amendment to this  
5 paragraph by the voters, and an amount equivalent to the revenue  
6 derived from \$0.09 per gallon from the tax shall be credited to  
7 the account in the fourth State fiscal year commencing after the  
8 approval of the amendment to this paragraph by the voters and  
9 annually thereafter; provided, however, the dedication and use of  
10 such revenues as provided in this paragraph shall be subject and  
11 subordinate to (a) all appropriations of revenues from such taxes  
12 made by laws [previously] enacted on or before December 6, 1984  
13 in accordance with Article VIII, Section II, paragraph 3 of the  
14 State Constitution in order to provide the ways and means to pay  
15 the principal and interest on bonds of the State presently  
16 outstanding or authorized to be issued under such laws or (b) any  
17 other use of those revenues [previously] enacted into law on or  
18 before December 6, 1984. [This amount] These amounts shall be  
19 appropriated from time to time by the Legislature, only for the  
20 purposes of paying or financing the cost of planning, acquisition,  
21 engineering, construction, reconstruction, repair and  
22 rehabilitation of the transportation system in this State and it  
23 shall not be competent for the Legislature to borrow, appropriate  
24 or use [this amount] these amounts or any part thereof for any  
25 other purpose, under any pretense whatever. [The provisions of  
26 this paragraph shall be of no effect after 17 years from the date  
27 on which this amendment becomes part of the Constitution.]  
28 (cf: Article VIII, Section II, paragraph 4, added effective  
29 December 6, 1984)

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

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

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

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

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

49 b. In every municipality the following question:

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	YES.	<p><b>DEDICATION OF CERTAIN EXISTING MOTOR FUELS TAXES FOR THE TRANSPORTATION SYSTEM IN THIS STATE</b></p> <p>Shall the amendment to Article VIII, Section II, paragraph 4 of the Constitution of the State of New Jersey, agreed to by the Legislature, to dedicate an additional annual amount of the existing motor fuels tax to a special account in the General Fund available only for the funding of the State transportation system, subject to laws enacted on or before December 6, 1984 dedicating any of this amount for debt service on bonds of the State or other uses, from an amount equivalent to the revenue derived from \$0.025 per gallon of the existing tax imposed on motor fuels to an amount equivalent to \$0.07 per gallon of that existing tax for the first two State fiscal years after approval of the amendment, and to an amount equivalent to \$0.08 per gallon of that existing tax for the third State fiscal year after approval of the amendment, and to an amount equivalent to \$0.09 per gallon of that existing tax for the fourth State fiscal year after approval of the amendment and thereafter, and to make the provisions of this constitutional dedication permanent by deleting the current expiration date which is the year 2001, be approved?</p>
	NO.	<p><b>INTERPRETIVE STATEMENT</b></p> <p>If this proposed constitutional amendment is approved, the current amount of 2.5 cents per gallon constitutionally dedicated for the funding of the State transportation system would increase to a total constitutional dedication of 9.0 cents per gallon of the existing motor fuels tax over a four-year period. Further, the constitutional dedication of the motor fuels tax revenue would be made permanent. This constitutional amendment does not increase the existing State motor fuels tax, which is currently set at 10.5 cents per gallon on gasoline and 13.5 cents per gallon on diesel and other special fuels, but only increases the amount of revenue derived from the existing tax on motor fuels that is to be dedicated constitutionally for the funding of the State transportation system.</p>

**STATEMENT**

This concurrent resolution proposes to amend Article VIII, Section II, paragraph 4 of the State Constitution to further dedicate a portion of the existing motor fuels tax revenue constitutionally for the transportation system in the State.

1       **If approved by the voters, the amount of existing motor fuels**  
2 **tax revenue dedicated constitutionally would be further dedicated**  
3 **by 4.5 cents on July 1 of the year following approval of this**  
4 **amendment by the voters, by 1.0 cent on July 1 in the third year**  
5 **following approval and by an additional 1.0 cent on July 1 in the**  
6 **fourth year following approval from the current amount,**  
7 **equivalent to the revenue derived from 2.5 cents per gallon of the**  
8 **tax on motor fuels, to a total amount equivalent to 9.0 cents per**  
9 **gallon of the tax on motor fuels in the fourth year and subsequent**  
10 **years.**

11       **Further, the constitutional dedication of motor fuels tax**  
12 **revenue, which now expires in 2001, would be made permanent.**

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17       **Proposes a four year constitutional dedication for transportation**  
18 **purposes of the existing motor fuels tax from 2.5 cents to 9 cents**  
19 **per gallon.**