

HOUSE JOINT RESOLUTION NO. 5

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/20/19

Referred: State Affairs, Judiciary, Finance

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska prohibiting the**
2 **establishment of, or increase to, a state tax without the approval of the voters of the**
3 **state; and relating to the initiative process.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** Article IX, sec. 1, Constitution of the State of Alaska, is amended by adding
6 new subsections to read:

7 (b) Any law enacted under Sections 14 - 18 of Article II establishing a state tax
8 or increasing the rate of an existing state tax shall not take effect unless approved by
9 the voters of the State in the next statewide election held more than one hundred
10 twenty days from enactment of the proposed law. The lieutenant governor shall
11 prepare a ballot title and proposition summarizing the proposed law, and shall place it
12 on the ballot. If a majority of the votes cast on the proposition favor its adoption, it
13 becomes effective ninety days after the certification of the election returns by the
14 lieutenant governor. If a majority of votes cast on the proposition favor its rejection,
15 the proposed law is rejected and does not take effect.

(c) Any law enacted by the voters through the initiative process under Article XI establishing a state tax or increasing the rate of an existing state tax shall not take effect unless the legislature, by resolution, approves the initiated law by a majority vote in joint session by adjournment of the next regular session occurring after the lieutenant governor certifies the election returns. If approved by the legislature, the initiated law becomes effective ninety days after approval. If the legislature fails to approve the initiated law by adjournment of the regular session, the initiated law is rejected and does not take effect.

* **Sec. 2.** Article XI, sec. 6, Constitution of the State of Alaska, is amended to read:

Section 6. Enactment. If a majority of the votes cast on the proposition favor its adoption, the initiated measure is enacted. If a majority of the votes cast on the proposition favor the rejection of an act referred, it is rejected. The lieutenant governor shall certify the election returns. **Except as provided in Section 1 of Article IX, an** [AN] initiated law becomes effective ninety days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time. An act rejected by referendum is void thirty days after certification. Additional procedures for the initiative and referendum may be prescribed by law.

* **Sec. 3.** The amendments proposed by this resolution shall be placed before the voters of the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and the election laws of the state.